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International Court of Justice

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Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 8 February 1946, 1010-1245, Lord Justice Lawrence presiding.

THE PRESIDENT: I call on General Rudenko for the Soviet Union.

GENERAL RUDENKO: May it please your Honors, in entering upon the delivery of my opening statement, the last to be made at this trial by the chief prosecutors, I am fully conscious of the utmost historical importance of these proceedings.

For the first time in the history of mankind is justice confronted with crimes committed on such a scale, with crimes which have entailed such grave consequences.

It is for the first time that before a court of justice appear criminals who, having taken possession of a whole state, made this state an instrument of their monstrous crimes.

It is, also, for the first time that by judging these defendants, we sit in judgment not only on the defendants themselves, but also on the criminal institutions and organizations which they created, and over the fiendish "theories" and "ideas" which they spread with the view to commit crimes against peace and humanity, crimes which were designed by them far in advance of their perpetration.

Nine months ago after having tortured for a number of years of bloody warfare the freedom-loving nations of Europe, Hitlerite Germany collapsed under the hammering blows of the combined armed forces of the Anglo-Soviet-American coalition. On 8 May 1945, Hitlerite Germany was compelled to lay down its arms, having suffered a military and political defeat hitherto unequalled in history.

Hitlerism imposed upon the world a war which caused the freedom-loving nations innumerable privations and endless sufferings. Millions of people fell as victims of the war, initiated by the Hitlerite brigands, who embarked on a dream of conquering the free peoples of the democratic countries and of estab-

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lishing the rules of Hitlerite tyranny in Europe and in the entire world.

The day has come, when the peoples of the world demand a just retribution and a severe punishment of the Hitlerite hangmen; when they demand severe punishment of the criminals.

All the outrages individually or jointly committed by the major Hitlerite war criminals, all together and each one individually, shall be considered by you, your Honors, with all the thoroughness and attention which the law, the charter of the International Military Tribunal, justice and our conscience require.

We charge the defendants with the initiation, instigation, and direct execution, individually or through their agents, of the criminal plan of conspiracy. To the execution of this plan, was committed the entire machinery of the Hitlerite state, with all its governmental agencies and institutions, with its army, police, the so called public agencies, as set out in the indictment and particularly in Appendix B.

Before entering upon the examination of the concrete events and facts, which lie at the foundation of the charges raised against the defendants, I think it necessary to dwell on certain general legal questions, connected with the proceedings. This is indispensible, because the present trial is the first one in history, where justice is being done by an agency of an International legal system - the International Military Tribunal. This also becomes necessary since special consideration was given to questions of law in both the written and oral motions made before the Tribunal.

The first and the most general legal problem which, in my opinion, has to be considered by the Tribunal, is the problem of legality. Contrary to the system of fascist tyranny, and arbitrary fascist practices, the Great Democracies, which have established this Tribunal, as well as all democracies throughout the world, exist and act on a firm legal basis. But neither the positive law, nor the concept of law can be identical in the national and the international meaning of these terms. Lex in the meaning of national law is an act of legislative power of a state, clothed in a proper form. In the meaning of international law, it is different. In the international field, there never existed, nor do now exist, any legislative bodies which are competent to

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pass laws which are binding on individual states. The legal system of international relations, which includes those relations which are manifested in the coordinated effort, to combat criminality, is based on different legal principles. In the international field the basic source of law and the only law-setting act is a treaty, an agreement between states. Accordingly in the same ways as the duly promulgated laws passed by legislative bodies and properly published are an absolute and sufficient legal basis for the administration of national justice, so in the international field an international treaty is an absolute and sifficient legal basis for the implementation and the activity of agencies of international justice, created by the signatories.

The International Military Tribunal was established for the trial and punishment of major war criminals on the basis of the London Agreement dated August 8, 1945, signed by the four countries which acted in the interests of all freedom-loving nations. Being an integral part of this Agreement, the Charter of the International Military Tribunal, is to be considered an unquestionable and sufficient legislative act, defining and determining the basis and the procedure for the trial and punishment of major war criminals. Provoked by fear of responsibility or, at best, by insufficient knowledge of the organic nature of international justice, the references to the principle "nullum crimen sine lege" or to the principle that "a statute cannot have retroactive power", are not applicable because of the following fundamental decisive fact: The Charter of the Tribunal is in force and in operation and all its provisions possess absolute and binding force.

Pursuant to Article 6 of the Charter, the Defendants are charged with crimes against peace, crimes committed in violation of rules and customs of war, and crimes against humanity. We must state with great satisfaction, that, in placing on such actions the stigma of criminality, the Charter of the Tribunal reduced to rules of law those international principles and ideas, which for many years were set forth in the defense of law and justice in the field of international relations.

First of all, the criminal aggression. For a number of decades, nations interested in strengthening the cause of peace were proclaiming and advocating the idea that aggression is the gravest encroachment on the peaceful relations

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between nations, a most serious international crime. These hopes and demands on the part of nations found their expression in a series of acts and documents which officially recognized aggression as an international crime.

On 27 August 1928, in Paris there was signed the Briand-Kellog Pact. "Persuaded", proclaimed the agreement, "that the time has come when a frank renunciation of war as an instrument of national policy should be made..... Convinced that all changes in their relations with one another should be sought only by pacific means.... The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another."

In 1929, a year after the signing of the Paris Pact at the Congress of the International Association of Criminal Law at Bucharest was passed a resolution, which squarely raised the question of criminal responsibility for aggression. "Whereas war has been outlawed by the Paris Pact of 1928 and acknowledging the necessity of securing international order and harmony by means of effective sanctions...." the Congress considered imperative "the establishment of an international penal judicial system", as well as of the principle of criminal responsibility of states and single individuals for acts of aggression.

Thus, long ago was proclaimed the principle of penal responsibility for criminal aggression, the principle which found its clear legal expression in subparagraph (a) of Article 6 of the Charter of the International Military Tribunal.

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Consequently, the Fascist aggressors, the defendants, knew, that by their predatory attacks on other countries, they committed gravest crimes against peace. They knew it, and they know it now, and that is reason why they attempted and are now attempting to camouflage their criminal aggression with lies about self-defense.

Furthermore, it has been repeatedly and authoritatively declared, that violations of laws and customs of war, established by international conventions, must entail criminal responsibility.

In this connection, quotes the law, it is necessary to note that the gravest outrages in violation of laws and customs of war, committed by the Hitlerites -- murder, violence, arson and plunder, are considered punishable criminal acts by all criminal codes throughout the world. Moreover, the international conventions signed especially for the purpose of establishing laws and rules of war stipulate criminal responsibility for violation of these laws and rules. Thus article 56 of the Hague Convention in 1907 declares: "The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and shall be made the subject of legal proceedings."

Thus, the Hague Convention not only forbids the violation of the rules of war, but also stipulates that these violations "should be made the subject of legal proceedings", i.e. must entail criminal responsibility.

Article 29 of the 1929 Geneva Convention states with still greater precision that "The Governments of the High Contracting Parties whose penal laws may not be adequate, shall likewise take or recommend to their legislatures the necessary measures to repress in time of war all acts in contravention of the provisions of the present convention."

Finally, the principle of criminal responsibility for all acts in violation of the laws and customs of war is expressed with the utmost precision in Article 3 of the provisions of the "Washington Conference for the Reduction of Armaments and for the Pacific and Far-Eastern Problems", which states that: "The Contracting Powers, wishing to ensure the execution of promulgated laws....

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declare that any person in the service of any power who violates one of these rules, and independently of the fact whether he is subordinated to an official personality or not, will be considered a transgressor of the laws of war and will be liable to be tried by civilian or military authorities."

Consequently, according to the directives of the Hague and Geneva Conventions, and according to the provisions of the Washington Conference, the enforcing of criminal responsibility for the violation of the laws and customs of war is not only possible, but is actually compulsory.

Thus, sub-paragraph "B" of Article 6 of the Charter of the International Military Tribunal, concerning the war-crimes, defined with greater precision and generalized the principles and rules contained in the international conventions previously signed.

The defendants knew that cynical mockery at the laws and customs of war constituted a gravest crime. They knew it, but they hoped that the total war by bringing victory, would also secure their impunity. But victory did not arrive on the heels of the crimes. Instead came complete and unconditional surrender of Germany, and with it came the hour of grim reckoning for all the outrages they committed.

I myself, speaking on behalf of the Soviet Union, and my honoured colleagues the chief Prosecutors of the United States of America, Great Britain and France, we all accuse the defendants of having ruled over the entire German state and war machine through a criminal conspiracy, turning the machinery of the German State into a mechanism for the preparation and prosecution of criminal aggression, into a mechanism for the extermination of millions of innocent people.

When several criminals conspire to commit a murder, every one of them plays a definite part. One works out the plan of murder, another waits in the car, and the third actually fires at the victim. But whatever may be the part played by any individual participant, they all are murderers and any court of law in any country will reject any attempts to assert that the first two should not be considered murderers, since they themselves had not fired the bullet.

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The more complicated and hazardous the conceived crime, the more complicated and less tangible the links connecting the individual participants. When a gang of bandits commits an assault, responsibility for the raid is also shared by those members of the gang who did not actually take part in the assault. But when the size of the gang attains extraordinary proportions, when the gang happens to be at the helm of the ship of state, when the gang commits numerous and very grave international crimes, then of course, the ties and mutual relations among the members of the gang become entangled to the utmost. A highly ramified mechanism is here at work. It consisted of a whole system of links and blocks,(Zellenleiters, Blockleiters, Gauleiters, Reichsleiters etc.) extending from ministerial chairs to the hands of the executioners.

This is a consolidated and powerful mechanism, yet it is powerless to conceal the basic and decisive fact that at the core of the entire system operated a gang of conspirators who were setting in motion the whole organization which they had created.

When entire regions of flourishing countryside were turned into desert areas and the soil was drenched with the bllod of those executed, it was the work of their hands, of their organization, their instigation, their leadership. And just because the masses of the German people were made to participate in these outrages, because, prior to setting packs of dogs and executioners on millions of innocent people, the defendants for years had poisoned the conscience and the mind of an entire generation of Germans by developing in them the conceit of "the chosen", the morals of cannibals and the greed of burglars, can it be said that the guilt of the Hitlerite conspirators is any less great or grave?

Expressing the will of nations, the Charter of the International Military Tribunal has settled this question: "Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any person in execution of such plan." (Art.6, Charter).

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Ideological Preparation for Aggressive Wars

For the purpose of successful execution of their criminal plans these conspirators, Goering, Hess, Rosenberg, Fritsche, Schirach and the other defendants developed a fiendish"theory of the superior or master race." By means of this so-called theory they had in mind to justify the claims of German Fascism for the domination of other nations which were declared by their theory to be nations of inferior race.

It followed from this theory that Germans, since they belonged to the "master race", have the "right" to build their own welfare on the bones of other races and nations. This "Theory" proclaimed that German Fascist usurpers are not bound by any laws or commonly accepted rules of human morality. The "master race" is permitted to do anything. No matter how revolting and shameless, cruel and monstrous were the actions of those individuals they were based on the "idea" of the superiority of this race.

Said Hitler; "We want to make a selection for a class of new masters who will be deprived of moral pity, a class which will realize that because of its better race it has the right to dominate others, a class that will be able to establish and maintain without hesitation its domination over the masses."

This German Fascist racial theory had at the same time to serve as a "scientific" basis for the preparation by the Hitlerites of an attak against democratic nations, as a justification for aggressive wars for which the Hitlerites made feverish preparation during the whole time of their domination of Germany. In such manner, the function of racism was to justify the conspiracy to fulfil the predatory aims of the German imperialistic clique.

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By order of the German fascist authorities, the "racial doctrine" was introduced into the educational plans as a most important and obligatory subject. In the hands of German fascism, the schools and universities became dangerous centres of the intellectual and moral mutilation of the people and, as such, the greatest menace to civili zation. All branches of science were militarized. All aspects of art were subjected to the aims of aggression.

"We approach science unbiased by knowledge and scholarly education", declared the fascist revue "POLITISCHE WISSENSCHAFT" (No.3 for 1934). One reads further: "The student must come to college with the demand that science be as soldierly as his own bearing, and that the professor possess the qualities of a leader and soldierly attitude".

"Give us arms again", said Hitler, "For this, to be sure, from the child's primer down to the last newspaper, every theatre and every movie house, every advertising pillar and every billboard, must be pressed into the service of this one great mission....."

Geography became the instrument for propagating the "Pre-eminent importance of the Germans in the world", of their "Right to dominate" other peoples. A feeling of racial superiority, arrogance, hatred, contempt and cruelty towards other peoples was cultivated in the young.

These are the words of a German fascist song:

"If all the world lies in ruins,"

"What the devil do we care"

"We still will go marching on"

"For to-day Germany belongs to us"

"And to-morrow the whole world."

The German fascist ideology set loose wildest and basest instincts. They made into a principle arbitrary actions, violence and debasement of people. They declared dangerous for the "Master Races" the ideas of freedom, the ideas of enlightenment and demands of humanity.

Said Hitler:- "I am freeing men from the restraints of an intelligence that has taken charge; from the dirty and degrading self-mortifications of

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a chimera called conscience and morality, and from the demands of a freedom and personal independence which only a very few can bear."

In the spirit of such principles the whole German fascist system of education was built up with a view to adapting and preparing them to unqualified obedience to all predatory plans and aims put before Germany by the fascist leaders of Germany. As a result of fascist propaganda and the whole system of measures cultivated by the German State, the German mind was systematically poisoned by the fumes of chauvinism and hatred for mankind. The aggressive plans of German Fascism ripened with every year of their political power until they were brought to their fruition: - war. This war was projected, planned and begun by Fascist Germany and her satellites as a "lightning war" (blitzkrieg).

The criminal conspiracy aimed at the establishment of a predatory, "new order" in Europe. This "new order" was a regime of terror, by which, in the countries seized by the Hitlerites, all democratic institutions were abolished and civil rights of the population were abrogated and those countries themselves were plundered and rapaciously exploited. The population of these countries, and of Slav countries first of all, was subjected to merciless persecutions and mass extermination. Russians, Ukrainians, Belorussians, Poles, Czechs, Serbians, Slovenes suffered more than others.

The conspirators failed to achieve their objectives. The valiant struggle of the peoples of democratic countries, led by the coalition of the three Great Powers - Soviet Union, The United States of America, and Great Britain - resulted in liberation of the European countries from the Hitlerite yoke. The victory of the Soviet and of the allied armies destroyed the criminal plans of Hitlerite conspirators, and liberated the peoples of Europe from the terrible threat of Hitlerite domination.

We, the prosecutors, are obligated by law and by duty before the peoples of the democratic countries and the whole humanity to formulate and present to the International Military Tribunal evidence that proves the guilt of the defendants in committing the most grave crimes.

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Permit me to perform my duty in conjunction with my colleagues, by presenting to the International Military Tribunal the evidence which, together with the materials already presented by the prosecution on behalf of the United States of America, Great Britain, and France will give a complete and exhaustive body of proof in this case.

Organization and execution of aggression against Czechoslovakia, Poland, and Yugoslavia.

The defendants Goering, Hess, Ribbentrop, Keitel, Raeder, Rosenberg, Kaltenbrunner, Frank, Frick, Doenitz, Fritzsche and others, are charged with the organization of a conspiracy to establish by force and to set up the fascist regime in all European countries, and later, throughout the world.

The core of this plan was the organization of aggressive wars and the rearrangement of the map of the whole world by use of force. In execution of this plan for aggression, the criminal Hitlerite government and the German General Staff prepared and executed the seizure of Austria, Czechoslovakia, Norway, Denmark, Belgium, Holland, France, Poland, Greece and Yugoslavia. They also prepared and undertook a predatory military campaign against the Soviet Union.

My colleagues of the American, British and French prosecution have already submitted to the Tribunal, weighty and irrefutable evidence which establishes the fact of German aggression against their own countries, as well as against Belgium, Holland, Greece and a number of other States which had become victims of the predatory Hitlerite imperialism.

May it please your Honors, I will now produce proofs of the monstrous crimes of the defendants in the preparation and initiation of aggressive wars against freedom-loving peoples.

1. The Attack on Czechoslovakia

The document submitted in this case and known as "directive Gruen" contains a plan for an attack on the Czechoslovakian Republic. This directive, signed by Hitler, was distributed, together with a covering note, bearing the signatures of Keitel. The directive begins with "political prerequisites", which read precisely as follows:

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"My unshaken decision is that Czechoslovakia should be smashed in the nearest future by means of a single military operation. To abide the time, and to create a suitable political and military situation - this is the task of political leadership. The inevitable development of conditions within Czechoslovakia or other political events in Europe, which might never again bring about a similar situation, may force my hand even before the designated date. The proper choice and the resolute exploitation of the opportune moment are the surest guaranties of success. Accordingly, all preparations should be made immediately."

Turning to the exposition of the political possibilities and prerequisites regarding the initiation of the attack, Hitler, cynically disclosed these prerequisites:

a) A suitable military pretext and in this connection -

b) a satisfactory political justification,

c) a surprise action which should take the enemy, as far as possible, unawares.

It was Hitler's idea that the most propitious moment, both from the military and political point of view, would be a lightning, secretly prepared German attack under the pretext of some incident, which could morally justify the use of military force, at least in the eyes of a certain portion of the public opinion of the world.

The directive envisaged the actual preparation for an attack on Czechoslovakia to be executed by all the branches of the armed forces.

Thus the directive "Gruen" which bears as early a date as May 1938, clearly and definitely testifies to the fact of a carefully planned preparation for the seizure of Czechoslovakia.

The Soviet prosecution will submit documents taken from the files of German Ministry of Foreign Affairs, which reveal the criminal methods used by the Hitlerites in preparing for the seizure of Czechoslovakia.

You, your Honours, as well as the entire world, know how methodically and ruthlessly this criminal scheme was executed by the predatory Hitlerite Imperialism.

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Having set up in occupied Czechoslovakia an insufferable regime of terrorism, the Hitlerites have deported to German slavery many thousands of Czechoslovak citizens, showing no mercy even to children who were sent to industrial plants, farms and mines.

The youth of Czechoslovakia was deprived of opportunities for education. When in 1942 a Czech delegation appealed to Frank for permission to reopen Czechoslovak educational institutions, he cynically replied: "Should the war be won by England, you will reopen your schools yourselves; should Germany win, then five-grade elementary schools will be enough for you."

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Everyone remembers the sanguinary outrages of the Hitlerite hangmen, committed against the Czechoslovak population. One of the numerous cases of such monstrous outrages against the peaceful population was made public in the German newspaper, "Der Neue Tag" of June 11, 1942.

"In the course of the search for the murderer of Obergruppenfuehrer of the SS, it has been incontestably proved that the inhabitants of the village of Lidice, near Kladno, were aiding and abetting the perpetrators of the crime. This has been proven in spite of the fact that the population denies any such assistance. The attitude of the population in regard to such crimes is also evidenced by other hostile acts against the Reich. There were discovered, for instance, subversive literature, stores of arms and ammunition, as well as the existence of a radio transmitter and a large quantity of rationed goods held in unlawful possession. The entire adult male population was executed by firing squads. Women were deported to concentration camps and children were sent to proper places for their further upbringing. All buildings in this village were levelled to the ground and the name of the village was done away with."

The Prosecution has at its disposal official data collected by the Czechoslovakian Government on the shocking crimes which were perpetrated by the Hitlerite invaders on the territory of Czechoslovakia. In the report of the Czechoslovak Government, which to a large extent is devoted to the description of the regime established by the Hitlerites in Czechoslovakia during the occupation, are cited numerous cases of terrorism: shooting of hostages, mass deportations to concentration camps, murder of women and children.

That is how directive "Gruen" worked.

2. Attack on Poland.

On 1 September, 1939, the Nazi aggressors invaded the Polish territory, in treacherous violation of existing treaties. The

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Polish people were subjected to mass extermination, and their cities and villages were pitilessly destroyed.

Official documents, exposing this aggression have already been presented to the Tribunal by my colleagues. Among such documents we must mention in the first place a top-secret report on a conference, presided over by Hitler, which took place on 23 May, 1939, and at which, besides Hitler and other persons, the Defendants Goering, Raeder and Keitel were present.

At this conference Hitler made a lengthy statement concerning the "present situation and the political aims." Hitler said:

"The Pole is not an unexpected enemy. Poland will always be on the side of our opponents. The matter does not concern only Danzig. It is the question of 'Lebensraum' (living space) in the East and the safeguarding of our food supplies, and the solution of the Baltic problem.

"Thus," said Hitler, "sparing Poland is out of question, and it remains for us to attack her at the first opportunity. We cannot expect the repetition of what we achieved in the case of Czechoslovakia. This time it means war."

Hitler then said, "The important fact in the conflict with Poland, which will begin with an attack on Poland, is that it can only be successful for us if the West does not participate. If this should be impossible, it would be better to attack the Western powers and at the same time destroy Poland."

The second part of Hitler's statement was especially devoted to a number of questions of military strategy, connected with his decision to attack Poland. This is how the gangster assault of Hitler's Germany on Poland was prepared in advance. It was put into execution in September 1939.

We shall present to the Tribunal documentary evidence of monstrous crimes committed by the Hitlerites in Poland.

3. Attack on Yugoslavia.

Yugoslavia was one of the other Slav states which was the subject

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of a sudden attack on the part of the Hitlerite Germany. It is well known that, on numerous occasions, Hitler's Government had given false assurances to the effect that Germany had no aggressive intentions towards Yugoslavia. Thus, on 28 April, 1939, Hitler, in his speech to the Reichstag, stated that Germany was ready to give assurances to a number of states, and, in particular, to Yugoslavia, that Germany wished to maintain with them relations of mutual understanding, as she was bound to them by alliances and by "close ties of friendship."

Even prior to this, on 28 April, 1938, the Berlin news agency (DNB) had announced, "Confidential representatives have informed the Yugoslav Government on Germany's behalf that Germany's intentions do not extend beyond Austria, and that the Yugoslav frontier will remain inviolate."

In spite of these repeated and categorical declarations, Hitler's armies invaded Yugoslavia on 6 April, 1941 and occupied this country. This attack was unexpected only by the victims, for the Nazi clique had carefully planned this assault in advance as it had done in the above-mentioned cases.

In a top-secret directive issued from his headquarters on the 29 March, 1941, and intended for Higher Commanding Officers of the German Army only, the Fuehrer said:

"My intention is to invade Yugoslavia by powerful thrusts from the area of Fiume-Graz and Sophia in the general direction of Belgrade and further to the south, with the objective of inflicting on the Yugoslav army a decisive defeat as well as to cut off the southern part of Yugoslavia from the rest of the country and to turn it into a base for further operations of the German-Italian forces against Greece. By promising the return of Macedonia and Banat, attempts will be made to bring about the participation of Bulgaria and Hungary in the operations.

"The internal crisis in Yugoslavia will be aggravated by

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political guarantees promised to the Croats."

Further on the directive lays down a detailed strategic plan for the invasion of Yugoslavia and provides for actual participation in this aggression of German armed forces, including the 10th Air Corps, which had to be transferred from Italy in order to take part in these operations.

Consequently, on the basis of the evidence supplied by original documents of the Hitlerite Government and High Command of German Armed Forces, we can establish that all attacks by Hitlerite Germany on Slav states were based on a plan prepared in advance, a plan which was only a part of a common criminal conspirary of the predatory German imperialism against freedom-loving nations.

Yugoslavia as well as Poland became a victim of the German-Fascist aggressors who covered this flourishing country with ruins and its fields, gardens and ploughed land with corpses of many thousands of Yugoslav patriots, who fell in the heroic struggle against the foreign invaders and enslavers, in the struggle for the freedom and independence of their native land.

THE PRESIDENT: Would that be a convenient time to break off for 10 minutes?

(A recess was taken from 11.15 to 11.30 hours.)

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GENERAL RUDENKO: May it please the Tribunal, I will now describe thecrimes committed by the Hitlerite aggressors against my own country, against the Union of Soviet Socialisst Republics. On June 22, 1941, USSR was perfidiously attacked by Hitlerite Germany. However, it is not this date, that should be considered as the actual beginning of the execution of Hitlerite Germany's plan of aggression against the Soviet Union. What took place on June 22, 1941 was conceived, prepared and planned long before that.

The Hitlerite conspirators pursued these preparations continuously. All Germany's aggressive action against a number of European states, during the period between 1938 and 1941, were, actually, only preliminary measures for the main blow in the East.

For fascist Germany had conceived the criminal design of seizing the territory of the Soviet Union in order to plunder and to exploit the peoples of the USSR.

We need not seek confirmation thereof in Hitler's "Mein Kampf" or in the writings of the Hitlerite ring-leaders, which, as is known, contained together with a direct menace to the USSR, indications that the aggression of German imperialism must be directed towards the East, in order to conquer the so-called "living space". This tendency of predatory German imperialism is expressed in the well-known formula: "Drang nach Osten."

I revert, for evidence, to the official documents of the Hitlerite government, which fully disclose the defendant's guilt in committing the criminal actions with which they are charged under the present Indictment.

I beg to be allowed to refer, in the first case, to the document entitled "Report concerning the conference of May 23rd 1939". As can be seen from this document, this conference took place in Hitler's study, at the new Reich Chancellery, and the minutes were taken down by Lieut. Col. Schmundt, of the German General Staff. There were present at this conference Hitler, Goering, Raeder, Brauchitsch, Keitel, Colonel-General Milch, General-of-the-Artillery Halder and other representatives of the German High Command. The report states that the subject of the conference was "Instructions concerning the present situation and the objects of our policy." Speaking at this conference, Hitler frequently broached the

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subject of the seizure of territory in the East. He declared:

".....if fate forces us into a conflict with the West, it would be desirable that we by that time possess more extensive space in the East." And further:

"Our problem is to extend our living space in the East, secure our food supplies and solve the Baltic problem. As regards food supplies, we can only rely upon the thinly populated areas. The thoroughness of German agriculture, together with the fertility of our soil, will show itself favorably in the manifold increase of food production."

In another document known as the "Minutes of the Fuehrer's conference with the Commander in Chief on November 23, 1939", Hitler stressed the necessity of solving the problem of the struggle for oil, rubber and useful minerals, And at that conference, Hitler formulated the main tasks as follows:

"....adapt the living space to the density of the population...".

"This is the eternal problem, to establish the necessary balance between the number of Germans and their territory, and to secure the necessary living space. Conceited modesty can be of no avail here. The problem can be solved only by the sword."

At this conference, Hitler with complete frankness disclosed his plans concerning the drive to the East. Boasting his successful seizures of Moravia, Bohemia and Poland he no longer kept secret his intentions of pursuing his aggression eastwards.

"I did not resurrect the armed forces", said Hitler, "For the purpose of keeping them inactive. The determination to act has always been alive in me. Sooner or later I always wanted to solve this problem."

Moreover, the Nazi government felt itself in no way restrained by the existence of a non-aggression pact, signed between Germany and the USSR, on August 23, 1939. However, Hitler's cynical declaration that treaties need only be respected as long as they serve immediate purposes, is now universally known.

My American colleague has already quoted in his address the speech made by the Defendant Jodl at the conference held by the Reich Gauleiters

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in Munich in January 1943. In his speech, the Defendant Jodl said ... "Hitler informed me, while we were still fighting in the West, of his plans of beginning a war against the USSR". In his turn, the Defendant Raeder at his preliminary examination, testified that the idea of a military campaign against the USSR had been in Hitler's mind long ago and it grew ever stronger with the decrease of the probability of an invasion of England in June 1940.

According to the Defendant Keitel's statement, Hitler prepared an attack against the USSR at the end of 1940. Already in the spring of 1940, a plan of assault had been worked out. Conferences on this subject had been held through the summer. In 1940, at a military conference in Reichenhall, the plan of attack on the USSR was examined. This is confirmed also by the statement of the Defendant Jodl, who at his preliminary examination, testified that the plans of attack on the USSR were actually worked out in the months of November - December 1940, and that during that period the first directives were given to the Army, to the Navy and to the Air Force. Speaking of these directives, Jodl refers to a document known as the "Case Barbarossa". This document is signed by Hitler, Jodl and Keitel.

This directive intended only for the High Command of the German Army, contained an elaborate and detailed plan for a sudden attack on the USSR.

I quote:

"The German Armed Forces must be prepared to crush Soviet Russia in a quick campaign before the end of the war against England."

"For this purpose the Army will have to employ all available units with the reservation that the occupied territories will have to be safeguarded againstany surprises."

Directive "Case Barbarossa" emphasizes that "Great caution has to be exercised that the intention of an attack will not be recognized."

The Directive further states, that if occasion arises, the order for attack against the Soviet Russia will be given, eight weeks in advance of the intended beginning of operations, and that "preparations requiring more time to start are - if this has not yet been done -

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to begin presently and are to be completed by 15 May 1941."

And, finally, the same directive contains a detailed strategic plan of an attack on the USSR, which plan already contemplated the actual form of participation on the part of Rumania and Finalnd in this agression. In particular, the directive says bluntly:

"Probable Allies and their tasks

1. At the flanks of our operations the active participation in the war against Soviet Russia, of Rumania amd Finland may be counted upon."

The directive also states that "the opportunity to make use of Swedish railroads and highways will become available for the deployment of the German Group North, from the start of actual operations, may be relied upon."

Thus, it is incontestable that at this time the Hitlerite Government had already secured the assent of the Rumanian and Finnish Governments for the participation of these countries, together with Germany, in the aggression against the USSR.

This is apparent not only from the text of the directive, "Case Barbarossa", but also from other facts at our disposal. For example in a statement by the German General of the Infantry, Buschenhagen which we shall present to the Tribunal, the following appears:

"At the end of December 1940 (approximately on the 20th), I as the Chief of Staff of the German Forces in Norway with the rank of Colonel, was invited to take part in a conference of the Chiefs of Staffs of the Armies at the OKH, (High Command of the Army) at Zossen (near Berlin) which lasted several days. At this meeting the Chief of the General Staff, Col. Gen. Halder expounded the plan "Barbarossa", which envisaged the attack onthe Soviet Union. During that very time, the Chief of the General Staff of the Finnish Army, General Heinriks was present at Zossen where he was conferring with Col. Gen. Halder ....".

Buschenhagen further tells us how, in February 1941, he left for Helsinki, where together with the representatives ofthe Finnish Army, he worked out a definite plan for the attack on the USSR. On 2 or 3 March 1941, upon his return to Oslo, he compiled and submitted to the OKW a report on his mission.

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'On the basis of these documents - states Buschenhagen - the operational plan "Blue Fox" was drawn up, envisaging an attack on the Murmansk railroad from the area of Kuusamo, Rovaniemi and Petsamo. The plan of operations in the area of Kirkiness-Petsamo was called "Reindeer", that in the area of Rovaniemi - "Silver Fox".

Further, as narrated by Buschenhagen, towards the end of April or the beginning of May 1941, he flew again to Helsinki where, "at the Finnish General Staff, negotiations took place with the Generals Heinrichs, Airo and Colonel Tapola, in the course of which we have ascertained that the Finnish General Staff was fully prepared to participate in the coming war against the Soviet Union."

In his personal written testimony given to the investigating authorities of the Soviet Union, which will be presented to the Tribunal, Marshal Jon Antonescu gives an account of his meetings with Hitler in November 1940, January 1941 and May 1941, at which the problems connected with the preparation of war against the Soviet Union were discussed.

During the first conference between Antonescu and Hitler, in which Ribbentrop and Hitler's personal interpreter, Schmidt took part, problems directly concerning the preparation of the German aggression against the USSR, and the Rumanian participation therein, were discussed.

In reply to the question put by the Soviet investigating authorities to Antonescu, whether his first conference with Hitler should be considered as his initial step towards an understanding with the Germans for the preparation of aggressive war against the Soviet Union, he stated:

"I reply in the affirmative. Hitler undoubtedly had this in mind when working out the plans for attacking the Soviet Union."

At the second meeting between Antonescu and Hitler, which took place in January 1941, the Defendants Ribbentrop, Keitel and Jodl, were present. Hitler requested Antonescu to permit the German armies concentrated on Hungarian territory, to pass through Rumania in order to enable them to assist the Italians in war against Greece.

Antonescu testifies: "I expressed my apprehension that the movement of German troops through Rumania might serve as a pretext for military action of the Soviet Union against Rumania, thus placing Rumania in a very difficult position as the Rumanian army was not mobilized: to this Hitler replied that he will give an order for part of the German troops intended for operations against Greece to remain in Rumania.

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"Hitler also emphasized that according to the information at his disposal, the Soviet Union has no intention to fight either against Germany or Rumania."

"Being satisfied with this statement of Hitler I have agreed to allow the German troops to pass through Rumanian territory."

"Lt. Colonel Jodl who was present at this conference described to me the strategic situation of the German Army emphasizing the necessity of an attack on Greece through Bulgaria."

Speaking of the third meeting with Hitler in May 1941 in the city of Munich, at which the defendant Ribbentrop was present, Antonescu declared:

"At this meeting .... we had already definitely agreed upon our joint assault on the Soviet Union.

"Hitler stated that he had decided to attack the Soviet Union. 'Having prepared this attack,' said Hitler, 'we must launch it unexpectedly along the entire frontier of the Soviet Union from the Black Sea to the Baltics.'

"'The suddenness of this military attack,' continued Hitler, 'will enable Germany and Rumania to overcome in a very short time one of our most dangerous opponents.'

"In connection with his war plans, Hitler asked me to place at his disposal Rumanian territory for the concentration of German troops and in conjunction with this to take a direct part in carrying out the attack on the Soviet Union."

By entering the conspiracy on the side of Germany and preparing to attack the Soviet Union, Roumania in her turn pursued aggressive aims.

Antonescu in the same statements spoke of Hitler's promises as follows:

"Hitler emphasized that Rumania should not remain out of this war, as in order to get back Bessarabia and northern Bukovine, she had no other way but to fight on the side of Germany. He added to this that in return for our help in the war, Rumania could occupy and administer other Soviet territories up to the Dnieper."

Antonescu further testified:

"As Hitler's proposal to start jointly the war against USSR was in line with my aggressive intentions, I declared my readiness to participate in the assault on the Soviet Union, and undertook to prepare the required number of Rumanian troops and at the same time to increase the deliveries of oil and farm produce for the needs of Germany."

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"After my return to Bucharest from Munich, I began energetic preparation for the coming war."

These facts are likewise confirmed by the documents from the archives of Antonescu, which will also be submitted to the Tribunal.

I draw the attention of the Tribunal to the records of a conversation which took place between Antonescu and Dernberg, Head of the Protocol Department of the German Foreign Office, on the 10th of February 1942 (conversation after meeting at the frontier):

"....I declared," remarks Antonescu, "that Rumania entered into an alliance with the Axis not for the purpose of altering the treaty of Versailles, but in order to fight the Slavs...."

It will be seen from this record that the hatred towards the Slav peoples united Hitler and Antonescu in their preparation and realisation of a war of aggression.

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Documents which are to be presented to the Tribunal will show quite incontestably the complicity of Hungary in the conspiracy to violate peace and in the preparations of an aggressive war against the Soviet Union.

Hungary was definitely assigned the role of attacking the rear of theRed Army through the Carpathian Mountains at the very moment when the German and the Rumanian Armies were to open military operations against the Soviet Union.

In this way was knocked together the criminal block of aggressors against the peace-loving nations, with fascist Germany in the van.

Coming back to the so-called "Case Barbarossa", I wish to twell on the most important points of this document

"Case Barbarossa" consists of three parts. In the first its general aims are set forth; the second deals with the allies of Germany in the war against the Soviet Union. The third part is devoted to the execution of military operations on land, in the air and on the sea. This document has the highly pertinent feature of having been issued, in view of its top secret contents, in only nine copies to comply with the demand for absolute secrecy on Germany's preparations for the attack on the Soviet Union.

The first part of the plan reads as follows:

"Troops of the Russian Army massed in the western part of Russia must be destroyed.

"..... The retreat into the vast expanses of Russian territory of units fit for combat must be prevented. Then, by rapid pursuit, a line must be reached from which the Russian air force will not be able to carry out attacks against German territory.--"

The document further states that the ultimate objective of this plan was to consolidate the line Archangel - Volga, paralyze the last remaining industrial area in the Urals by air operations, put the Baltic fleet out of commission, and prevent the possibility of active interference on the part of the Russian air force.

In the third part of the document we find the directive: "To seize Leningrad and Kronstadt and to continue offensive operations with the objective of taking the most important center of communications and war-production - Moscow".

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"The seizure of this city" - according to the plan - "will mean a decisive success both politically and economically."

Such was the plan to invade the USSR; conceived, worked out and prepared long in advance by Hitlerite Germany.

The Preparation of War Crimes

While undertaking strategic and diplomatic measures to prepare for its predatory attack against the USSR, the Nazi government conceived and planned beforehand the commission of war crimes on the territory of the USSR. The so-called "Case Barbarossa" was a strategic plan. But this plan was supplemented by a number of instructions and orders, designed to embrace all the innumerable measures, relative to the problems which would arise on the invasion of the Soviet Union. Among these measures, we must mention, in the very first place, the instruction issued on 13 March 1941, by the Headquarters of the German High Command.

This instruction deals with a series of organizational problems of a civilian nature and, in particular, with the problems relative to the organization of administrative power. It is of importance to note that this instruction placed German troops stationed in East Prussia and the so-called Government-General (that is to say, Poland) to be under the laws and regulations which were to be put in force in the zone of operations at least four weeks prior to the beginning of the campaign.

By this instruction, the High Command of the German Armed Forces was authorized to assume executive power and to delegate it to the Commanding Generals of the Army Groups and Armies. One also cannot overlook in this instruction sub-paragraph "B" which characterizes the tasks and objectives pursued by the conspirators. In this sub-paragraph it states;

"In the theater of military operations, in connection with the preparation of political administration, the Reichsfuehrer of the SS, by order of the Fuehrer, has been given special tasks arising from the conclusive and decisive struggle between two opposing political systems. Within the limits of these tasks, the Reichsfuehrer of the SS acts independently, upon his own responsibility.

Mankind is now well aware of the meaning of these "special tasks", the

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execution of which was exclusively entrusted to the SS generals and officers, who made full use of this right to act "independently" and "upon their own responsibility." It meant unheard of terror, plundering, violence and killing of prisoners of war and peaceful citizens.

This instruction deals further in a very specific way with such problems, as the plundering and predatory exploitation of the areas occupied by the German troops. The instruction is signed by the defendant KEITEL. In another instruction, issued in June 1941, as a supplement to the "Plan Barbarossa", orders are issued, which in the guise of propaganda directives, prescribe the ruthless treatment of all those who oppose the German aggressors. As to actual propaganda, the directives frankly mention the usual dirty Nazi methods of columny, lies and provocation, which were to be used by the so-called "propaganda companies."

Finally, one cannot overlook another instruction, known under the name of "Orders concerning military jurisdiction in the Barbarossa area and special measures to be taken by the troops." These orders, whilst sanctioning a complete arbitrary action on the part of the German authorities and troops in regard to the civilian population in the territories seized by the German armed forces, begin with a demand made to the German troops to "protect" themselves ruthlessly against hostile actions of the civilian population.

In the rules prescribing the adoption of draconian measures against peaceful populations and partisans, we find indications as to the brutal punishment to be imposed upon persons defined in those orders as "suspected elements."

With the permission of the Tribunal, I will read only two paragraphs of these rules, Paragraphs 4 and 5.

Paragraph 4: "In those places where it is too late to adopt these measures or where it had not been possible to do so immediately, suspected elements must be handed over without delay to the officer, who will decide whether or not they should be shot."

Paragraph 5: "It is absolutely prohibited to hold these suspects for trial by courts, to be instituted for the local population at a later date."

Thus, according to these so-called "rules", the fate and life of every

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apprehended person depended exclusively on the officer, and it was prohibited, as the order cynically stressed, "to hold the suspects for trial". In other words, it was a definite order to exterminate the "suspects." Moreover in the case of attacks against the German Armed Forces, the order prescribed "mass measures of repression", that is to say, the wholesale extermination of absolutely innocent people.

What heights of cynicism were reached by the German High Command in the application of sanguinary terror, can be seen from the fact that this "order" freed the German soldiers, officers and officials of any responsibility for the commission of crimes against the peaceful Soviet population. According to these "orders", the German troop commanders were entitled to confirm only those "sentences" which, as the said document states, were in accordance with the "political objectives of the leaders."

Consequently, long before 22 June 1941, the Hitlerite Government and the German High Command, whose representatives are now in the dock, planned and prepared in detail those war crimes which were subsequently committed in the territory of the USSR. These plans inexorably disclose that the defendants premeditated the monstrous crimes which were organized by them.

Predatory Attack of Hitlerite Germany on the USSR.

On 22 June 1941 the Hitlerite conspirators, having perfidiously violated the pact of non-aggression between the USSR and German, without a declaration of war, started an attack against Soviet territory, initiating thereby an aggressive war against the USSR. without the slightest provocation on the part of the Soviet Union.

Large masses of German troops which were secretly concentrated on the borders beforehand, were thrown against the USSR. As planned, Finnish troops took part in the attack on the USSR in the North and Hungarian and Rumanian troops in the South. In order to create panic and confusion, the German Air force immediately began the bombing of peaceful towns subjecting them to destruction.

Less than a month after the perpetration of this perfidious act, Hitler called a conference, which was attended by Rosenberg, Goering, Bormann, Lammers and Keitel.

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At this conference Hitler instructed those present not to disclose to the outside world the true aims of the war begun by the Hitlerites. Referring to their campaign against Norway, Denmark,Holland and Belgium, Hitler stressed the necessity of continuing this line of action; i.e. to conceal by all possible means the real intentions of the conspirators.

"Therefore", said Hitler, "we shall emphasize again that we were compelled to occupy a region to establish order and security there....our method of regulation is the natural outcome of this. Thus, it must not be revealed that our campaign concerns a final solution. However, despite and not withstanding this, we shall take all necessary measures such as mass-shootings, deportation etc."

Any kind of violence, deportation of the peaceful population into German slavery, shooting, all that was called, in the words of Hitler and his accomplices: "regulation."

At this conference the conspirators defined the ulterior aims of the Hitlerite Government in respect of the Soviet Union as follows:

"In the main, the problem amounts to this: first to conquer it,secondly to rule it, and thirdly, to exploit it.....

"The basic idea: The creation of a military power west of the Urals must never occur again, even if, in order to prevent it, we have to fight for a hundred years. All the adherents of the Fuehrer must know this: The Reich will only be secure of no foreign military force exists west of the Urals. The iron law must be: none but the Germans shall be permitted to bear arms..... only a German has the right to carry a weapon, no Slav, no Czech, no Cossack, no Ukrainian."

Hitler continued: "The Baltic countries must become a province of the Reich. The Crimea and the surrounding area must likewise become a province of the Reich.... This surrounding area must be as extensive as possible....The Volga colonies as well as the Baku region must become a province of the Reich. The latter must become a German concession (military colony). The Finns want East Karelia. However, because of its great nickel production, the Kolsky

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peninsula must go to Germany. The Finns claim the Leningrad region....Level Leningrad to the ground, then give it to the Finns."

The rapacious aims of the war launched by Germany against the USSR are frankly set forth in an article by the director of the Fascist propaganda, the notorious Goebbels, under the title: "What For."

Goebbels wrote:

"This war is not a war for a throne nor an altar; this is a war for grain and bread, a war for a well-laden dinner-table, for plentiful breakfasts and suppers.....a war for raw materials, for rubber, iron and ore."

In his turn, Goering, in his address at the Harvest Festival in the Berlin Sports Palace, 5 October 1942, published in the "Voelkischer Beobachter" of October 6, 1942, exclaimed greedily:

"Don't forget we have taken away from the Russians their best regions....Eggs, butter and flour are there in such quantities as you can hardly imagine....We will have to see that everything is properly assimilated and properly processed at the spot..."

The defendant Rosenberg worked feverishly at inventing new names for Soviet cities, such as "Gotenburg" for Simferopol and "Theodorichshafen" for Sevastopol. This occupation Rosenberg combined with the leadership of a special staff concerned with the "assimilation" of the Caucasus.

All that shows very clearly the real predatory plans and schemes of the Hitlerite aggressors against the Soviet Union. Above all those criminal designs aimed at plundering the Soviet Union and the enslavement and exploitation of the Soviet people.

At the same time these were all steps on the road to establishing Hitlerite domination in Europe and in the whole world. For this reason, in a document submitted in the case which was published by the High Command of the Navy, and dealt with the plans for an invasion of North Africa, Gibraltar, Syria, Palestine and Egypt, the Hitlerite Government stated that at the realization of the above plan would depend entirely on the results of the war against the Soviet Union.

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In its attempt to conceal its imperialistic aims, the Hitlerite clique hysterically shrieked, as usual, about a danger alleged to be forthcoming from the USSR, and proclaimed that the predatory war which it started against the Soviet Union with aggressive purposes was a "preventive" war.

A pitiful effort!

How can one speak of a "preventive" war when documents prove that, long in advance, Germany worked out and prepared a plan for an attack on the USSR, formulated the predatory aims of this attack, earmarked the territories of the Soviet Union which she intended to seize, established the methods for pillaging of these territories and for the extermination of their population, mobilized her army in good time and moved to the borders of the USSR 170 fully equipped divisions, which waited only for a signal to advance.

The fact of aggression committed by Fascist Germany against the USSR, as well as the original documents of the Hitlerite Government which now have been made public, definitely show to the whole world and to history how untrue and laughable was the assertion of Hitlerite propaganda about the "preventive" character of the war against the USSR.

Much, as the Fascist wolf might disguise himself in a sheep's skin, he cannot hide his teeth!

Having committed the perfidious attack on the USSR, the Hitlerite Government calculated that lengthy preparation for this attack, the concentration of all the armed forces of Germany for this thrust, the participation of Rumanian and Finnish armies, as well as of Italian and Hungarian units in this operation and, finally, the advantage of surprise, would assure a rapid defeat of the USSR.

However, all these calculations of the agressors were frustrated by the heroic resistance of the Red Army, which defended the honour and the independence of its country with self-denial. The German plans of attack were broken up one after another.

I shall not describe all the phases of the Fatherland war of the Soviet People against the German Fascist invaders and the great and courageous struggle of the Red Army with German, Rumanian, Finnish and other armies that invaded the Soviet soil.

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The whole world watched this strugglewith admiration, and it will never be forgotten by history.

The Soviet people, in battles, the scale and ferocity of which were unmatched in history, steadfastly defended and saved the freedom and independence of their country, and together with the Allied Armies, liberated the freedom-loving nations throughout the whole world from the terrible menace of Nazi enslavement.

War Crimes

Having prepared and carried out the perfidious assault against the freedom-loving nations, Nazi Germany turned the war into a system of militarized banditry.

Mass murder of war prisoners, extermination of civilian populations, plunder of occupied territories and other war crimes, were committed as a part of a totalitarian lightning war, Blitzkrieg, projected by the Nazis. In particular, the terrorism practised by Nazis on the temporarily-occupied Soviet territories, reached fabulous proportions and was carried out with a fiendish cruelty.

Mass execution of civil population

"We must," said Hitler to Rauschning, "pursue a policy of systematic depopulation. If you ask me what I mean by the term 'depopulation,' I would tell you that I understand it as the complete removal of whole racial groups. And that is what I am going to do; such, roughly speaking is my purpose. Nature is cruel, and so we have to be cruel too. If I can send the cream of the German nation into the hell of war . . .. without any regret for the shedding of precious German

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blood, I have surely the right to remove millions of an inferior race, who multiply like flies!"

The Soviet Prosecution has at its disposal numerous documents, collected by the Extraordinary State Commission for the Prosecution and investigation of crimes committed by the German Nazi aggressors and their accomplices, which constitute irrefutable evidence of countless crimes perpetrated by German authorities.

We have at our disposal a document, known as the "Appendix #2 to the Operational Order #8 of the Chief of the SIPO and SD, dated "Berlin, 17 June 1941", and signed by Heydrich who, at that time, held the office of Himmler's deputy. This document was worked out in collaboration with the High Command of the German Armed Forces. The appendices to Order #8, as well as Orders #9 and 14 and the appendices thereto, make it evident that the systematic extermination of Soviet people in Nazi concentration camp in the territories of USSR and other countries occupied by the Nazi aggressors, was carried out under the form of"filtration", "cleaning measures", "purge", "extraordinary measures", "special treatment", "liquidation", "execution", and so on.

The perpetration of these crimes was entrusted to the "Sonder-Kommandos" especially formed for this purpose, by agreement between the Chief of Police and the SD and the High Command of the German Armed Forces.

The Appendix #1 to Order #14 shows that these "Sonderkommandos", acted independently on the basis of their special powers and in accordance with general directives given to them within the scope of camp's regulations, maintaining close contact with the camps C.O.s and the officers of the counter intelligence.

It is to be noted that, during the German offensive aimed at Moscow, the Nazis created a special "Sonderkommando Moscow", which was supposed to carry out the mass killings of the inhabitants of Moscow.

Hitler's Government and the German Military Command were afraid that these monstrous Orders #8 and #14 might fall into the hands of the Red Army and the Soviet Government, and they took all possible measures to keep these Orders completely secret. In Order #14, Heidrich declared:

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"I especially emphasize that the Operational Orders #8 and #14, as well as the regulations pertaining thereto, must be immediately destroyed in case of imminent danger. Their destruction is to be reported to me."

Besides the above-mentioned orders, containing the program and plan for the Nazi annihilation of the Soviet population, numerous orders and regulations were issued to the civil "administration", as well as to the German military authorities, prescribing mass extermination, and mass execution of Soviet people. Keitel's order of 12 December 1941, reads as follows:

"In Fuehrer's opinion the punishment by imprisonment or even life sentence would be considered as a symptom of weakness. Effective intimidation can be realized only by executions or measures which would leave the population in complete ignorance about the criminal's fate. This latter aim is reached through the deportation of criminals into Germany. The attached instructions for the prosecution of criminals is in accordance with Fuehrer's opinion. It is approved by him. Keitel".

Among the diverse means employed by the Hitlerites for the extermination of Soviet citizens were also intentional infection with spotted fevers; murdering by poison gas in murder vans. Upon investigations by the Extraordinary State Commission of the Soviet Union it was found that at the front near their main line of defense, the Hitlerites had systematically constructed special concentration camps where they kept tens of thousands of children, women, not fit for work, and aged men. The approaches to these camps were mined. No barracks or shelters of any kind were built within the areas of the camps, and the internees had to camp on the bare ground. For the slightest infractions of established ruthless camp regulations, the internees were shot. Many thousands of typhus patients were found in these camps who, through contact with the population brought there by force from the surrounding villages, systematically infected them with the disease.

The document which will be presented by the Soviet Prosecution describes in detail these heinous crimes perpetrated by the German Fascist occupants.

The Prosecution possesses a document signed by the Untersturmfuehrer Bekker May 16, 1942. This document is a report to his superiors concerning the use of murder vans. This is what one reads in this monstrous document:

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"The place of execution is located at about 10 - 15 kilometers from a thoroughfare and is difficult to reach because of its location. In wet or damp weather it is quite inaccessible.

Whether the people to be executed are led or brought in vehicles to this spot, they immediately realize what awaits them and become restless. This should be avoided by loading them into trucks at an assembly point, and driving them to the place of execution.

I gave orders for the trucks of group D to be camouflaged as trailers and that a window be inserted on each side of the smaller vehicles, and in the larger trucks, two windows, all of the country peasant cottage type. However, these machines became so well known that even the civilians called them the "Death Machines" as soon as they saw them. In my opinion it is impossible to camouflage and keep them secret for any length of time. Also I gave orders, that during asphyxiation by gas, the operating personnel should keep away from the machine so that their health would not be impaired by escaping gas. In this connection I would like to call attention to the following: In certain units, men are ordered to unload the machines after the gassing. I have drawn the attention of the commanders of the corresponding special units to the enormous physical and moral injury this kind of work could cause the men, if not immediately, certainly later. The men complained of headaches after every unloading. Nevertheless they do not want to change the procedure, for they are afraid that prisoners entrusted with the work may use it as an opportunity for escape. To protect the men from the injury, I would ask that appropriate orders be issue

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"The procedure of poisoning by gas isnot always carried out in a correct manner. So as to end the business as quickly as possible, the drivers always open the throttle wide. As a consequence of this the condemned die of asphyxiation rather than falling asleep as had been originally intended. As a result of my explanation of the correct way of setting the lever, death follows more rapidly, and in addition, the condemned people drop off peacefully to sleep. Distorted faces and defecations, two symptoms which formerly had been noticed, were no longer observed.

Today, I will proceed to Group B, from where I will send further information. Dr. Bekker, Untersturmführer."

The names have already been mentioned here of the camps of Maidanek and Auschwitz with their gas-chambers, in which over 5-1/2 million people, citizens of Pland, Czechoslovakia, U.S.S.R., U.S.A., Great Britain, France and other democratic countries, people who were not guilty of a single offense, were killed. I must name the concentration camps of Smolensk, Stavropol, Kharkov, Kiev, Lwow, Poltava, Novgorod, Orel, Rovno, Dnepropetrovsk, Odessa, Kamenetz-Podolsk, Gomel, Kerch, of the Stalingrad region, of Kaunas, Riga, Mariampol, of the Lithuanian S.S.R. of Kloga, of the Esthonian S.S.R. and many others in which hundreds of thousands of Soviet citizens belonging to the civilian population, and also soldiers and officers of the Red Army, were tortured to death by the Hitlerites.

The Germans also carried out mass shootings of Soviet citizens in the Lisenitz forest, which is on theoutskirts of Lwow in the direction of Tarnopol. It was to this forest that the Germans daily drove or brought in motor vehicles large parties of Soviet prisoners of war from the camp "Citadel", internees from the Yanov camp and from the Lwow prison as well as peaceful Soviet citizens who had been seized on the squares and streets of Lwow in the course of numerous round-ups.

Investigation made by the Extraordinary State Commission established the fact that the Germans shot over 200 thousand people in the Lisenitzki forest.

These massmurders, this arbitrary regime of terror was fully approved by the defendant Rosenberg, in his speech at the meeting of the German Labor Front in November 1942:

"Apparently, declared Rosenberg, if we are to subjugate all these

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peoples, (i.e. peoples inhabiting the territory of the USSR), the arbitrary rule and tyra nny will be an extremely suitable form of Government".

Later, when the Red Army started to clear from the German Fascist hordes, the Soviet Union territory temporarily occupied by them, and when the organs of Soviet authorities began discovering abominable crimes perpetrated by Fascist monsters and finding numerous graves of Soviet citizens, soldiers and officers, tortured to death by the Fascists - the German Command took urgent measures to conceal and destroy all traces of their crimes. For this purpose, the German command organized everywhere exhumations of corpses from the graves and their cremation. Special order of the Obersturmfuehrer, dated "Rovno, 3 August 1943-IVAI-# 35/43c", and addressed to the Regional Leader of Gendarmerie in Kamen-Kashirsk, prescribed "to supply immediately information concerning location and number of graves (common) of persons to wh n special repressive measures were applied in the district.

Among the documents discovered in the Gestapo building of the Rowno district, has been found a report concerning the execution of the above-mentioned order with the enumeration of about 200 localities, where such graves were found. One can see by these lists, that the German fascist henchmen chose as burial-grounds for the interrment of their victims, primarily secluded and isolated points.

At the end of the list, we read: "the list includes all the tombs, including those of the commandos which worked here previously."

I will now quote an extract of the appeal to the public opinion of the world of the representatives of several thousand former internees at Auschwitz:

"The gassing of countless numbers of people took place upon the arrival of 'transports' from various countries including: France, Belgium, Holland, Greece, Italy, Hungary, Czechoslovakia, Germany, Poland, the USSR, Norway and others. The new arrivals had to pass before an "SS" doctor or else before the "SS" Commandant of the camp. The latter pointed his finger to the right or left. The left meant death by gas. Out of a transport of 1,500, an average of 1,200 to 1, 300 were immediately sent to

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be gassed. Now and then, the quota of people who were sent to the camps was a little higher. It often occurred that the "SS" doctors MENGELE and THILO performed this "selection" whilst whistling a jolly ditty. The people, destined to be gassed, were obliged to undress in front of the gas-chambers, after which they were whipped into the gas-chamber. Then, the door of the underground gas-chamber was shut and the people were gassed .... Death came approximately four minutes later. After eight minutes the gas chamber was opened, and workemn belonging to a 'special outfit', the so-called 'sonderkommando', transported the bodies to the cremation ovens which burned day and night.

"There was a shortage of ovens at the time of the arrival of transports from Hungary, consequently enormous ditches were dug for the purpose of burning the bodies. Fires made of wood soaked in gasoline were laid in these ditches and bodies were thrown therein. However, the SS men frequently hurled alive children and adults into those ditches, where the most unfortunate perished a terrible death. To effect a saving in gasoline, fats and oils necessary for cremations were often derived from the bodies of gassed peoples. Fats and oils for technical purposes and for the manufacture of soap were also obtained from bodies."

The petition ends with the following words: "Together with 10,000 saved inmates of all nationalities we demand that the crimes andthe inconceivable atrocities of the Hitlerites should not remain unpunished."

This just demand is supported by the entire civilized world and by all freedom-loving peoples.

2. Ill treatment and assassinations of prisoners of war.

The organized mass annihilation of prisoners of war constitutes one of the vilest crimes of Hitlerite conspirators.

Numerous facts of assassinations, tortures and maltreatment to which prisoners of war were subjected have been definitely established. They were tortured with red-hot irons, their eyes were gouged, their extremities were severed, etc.

The systematic atrocities and short shrift Justice against captured officers and men of the Red Army were not chance episodes or the results of the criminal activities of individual officers of the German Army and

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German officials.

The Hitlerite Government and the High command of the German Army ruthlessly exterminated prisoners of war. Numerous documents, orders and decrees of the Nazi Government and orders of the German Supremee Command testify to this.

As early as March 1941, - as the German Lieutenant-General Osterreich testified during his interrogation, - a sedret conference took place at the headquarters of the High Command in Berlin, whem measures were planned for the organization of camps for Russian Prisoners of war, and "rules" laid down for their treatment. These "rules" and "measures", were essentially a plan for the extermination of Soviet prisoners of war, as is made clear in Osterreich's evidence.

Many Soviet prisoners of war were shot or hanged whilst others perished from hunger and infectious diseases, from cold and tortures, systematically employed by the Germans according to a plan which was developed beforehand and had as its object the mass extermination of Soviet persons.

In appendix 3 to order No. 8 of the Chief of the Security Police and SD, dated the 17th of July 1941, a list is given of Prisoner of War camps set up in the area of the 1st Military district and of the so-called Government-General. In the 1st Military district, camps were set up in particular in Prokuls, Heidekrug, Schierwinds, Schutzenrode (Ebenrode) in Prostken, Suwalki, Fischbor-Tursen and Ostwlyenka. In the so-called Government General, camps were set up at Ostrov-Mesovetzky, Sedlitz, Byelopedlasko, Kholm, Jaroslavl, etc. In the appendix to operational order No. 9, issued in development of order No. 8 of the 17th July 1942, lists are given of the camps for Soviet prisoners of war situated in the territory of military districts 2, 4, 6, 8, 10, 11 and 13, at Hammerstein, Schneidemuehl and many other places.

A recess was taken until 1400 hours)

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Official transcript of the International Military Tribunal in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 8 February 1946, 1400-1700, Lord Justice Lawrence presiding.

MARSHAL OF THE COURT: May it please the Court, I desire to announce that the Defendant Hess will be absent until further notice on account of illness.

THE PRESIDENT: Would it be convenient to you and the Soviet delegation if the Tribunal sat in open session until half past eleven tomorrow morning, and then after that we would adjourn for a closed session for administrative business? Would that be convenient to the Soviet delegation?

GEN. RUDENKO: We have no objection.

THE PRESIDENT: Very well, then, that is what we will do. The Tribunal will sit tomorrow from ten until half past eleven in open session and will then adjourn.

GEN. RUDENKO: In these prisoners of war camps, as well as in camps for the civilian population, extermination and tortures were practiced, referred to by the Germans as "filtering", "execution", "special regime". The "Gross-Lazarett" set up by the Germans in the town of Slavuta has left grim memories. The whole world is familiar with the atrocities perpetrated by the Germans against Soviet prisoners of war and those of other democratic States at Auschwitz, Maidanek and many other camps.

The directives of the German Security Police and of the SD, - worked out in collaboration with the Staff of the Supreme Command of the Armed Forces, whose chief was the defendant Keitel, - were applied here.

Operational order No. 8 stated: "executions must not take place in the camp or in the immediate vicinity of the camp. If the camps in the Government-General are situated in the immediate vicinity of the frontier, the prisoners intended for special treatment should, if possible, be transported to former Soviet districts. Should executions be necessary owing to violations of camp discipline, the chief of the operational detachment should in this case approach

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the camp Commandant.

The activities of the "Sonderkommandos" sanctioned by the Army commanders of the Rear Areas (district commandants dealing with affairs connected with prisoners of war) must be conducted in such a way as to carry out of "filtering" with as little notice as possible, while the liquidation must be carried out without delay and at such a distance from the transit camps themselves, and from populated places, as to remain unknown to the rest of the prisoners of war and to the population".

The following "form" for the carrying out of executions is recommended in Appendix 1 to Operational Order No. 14 of the Chief of the Security Police and SD, dated "Berlin, the 29th October 1941, No. 21 B/41 G R S - IV A.I.Z".: "Chiefs of operational groups decide questions about execution on their own responsibility, and give appropriate instructions to the Sonderkommandos. In order to carry out the measures laid down in the directives issued, the Kommandos are to demand from the commandants of the camps the handing over to them of the prisoners. The High Command of the Army has issued instructions to the commandants for meeting such demands.

"Executions must take place unnoticed, in convenient places, and, in any event, not in the camp itself, nor in its immediate vicinity. It is necessary to take care that the bodies are buried immediately and properly".

The report of the Operational kommando (Obersturmbannfuehrer Lipper to Brigadefuehrer, "Dr."Thomas) in Vinnitza, dated December 1941, speaks of the way in which all the above-mentioned instructions were carried out. It is pointed out in this report that, after the so-called "filtering" of the camp, only 25 persons who could be classed as "suspects" remained in the camp at Vinnitza.

"This limited number", the report states, "is explained by the fact that the local organizations, in conjunction with the commandants or with the appropriate counter-intelligence officers, daily undertook the necessary measures, in accordance with the rules of the Security Police, against the undesirable elements in the permanent Prisoner of War camps." Thus, apart from the mass executions conducted by "Sonderkommandos", specially created for this purpose, the systematic extermination of Soviet persons was widely practiced by comman-

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dants and their subordinates in camps for Soviet prisoners of war.

Among the documents of the Extraordinary State Commission for the investigation of crimes committed by the Germans in the temporarily seized territories of the U.S.S.R., there are several notes of the People's Commissar for Foreign Affairs, V. M. Molotov, on the subject of the extermination of prisoners of war and of their cruel treatment, and in these notes numerous instances of these monstrous crimes of the Hitlerite Government and of the German Supreme Command are quoted.

The note of V. M. Molotov, the People's Commissar for Foreign Affairs, dated the 25th of November 1941, on the subject of the revolting bestialities of the German authorities against Soviet prisoners of war, addressed to all ambassadors and ministers plenipotentiary of the countries with which the U.S.S.R. has diplomatic relations, points out that Red Army soldiers were subjected by the German High Command and by the German military units to brutal tortures and killings. The wild fascist fanatics stabbed and shot on the spot defenseless sick and wounded Red Army soldiers who were in the camps; they raped hospital nurses and workers, and brutally murdered representatives of the medical personnel.

A special count of the victims of executions was conducted, on the instructions of the German Government and the Supreme Command. Thus, the directive given in Appendix 2 to Heydrich's Order No. 8, points out the necessity for keeping an account of the executions performed, i.e., of the extermination of prisoners of war, in the following form: 1. Serial number; 2. surname & first name; 3. date and place of birth; 4. profession; 5. last place of domicile; 6. grounds for the execution; 7. date and place of the execution.

A further specification of the tasks to be carried out by the Sonderkommandos for the extermination of Soviet prisoners of war was given in operational order No. 14, of the Chief of the Security Police and S.D. dated the 29th of October 1941.

Among brutalities against Soviet prisoners of war must be included branding with special identification marks, which was laid down by a special order of the German Supreme Command, dated the 20th of July, 1942. This order provides for the following methods of branding: "The tightly stretched skin

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is to be cut superficially with a heated lancet dipped in India ink."

The Hague Convention of 1907, regarding prisoners of war, prescribes not only humane treatment for prisoners of war, but also respect for their patriotic feelings, and forbids their being used to fight against their own fatherland. Article 3 of the Convention, which refers to the laws and customs of war, forbids the combatants to force enemy subjects to participate in military operations directed against their own country, even in cases where these subjects had been in their service before the outbreak of war. The Hitlerites trod underfoot even this elementary principle of international law. By beatings and by threats of shooting they forced prisoners to work as drivers of carts, motor vehicles and transports carrying ammunition and other military loads to the front, as ammunition bearers to the firing line, as auxiliaries in anti-aircraft artillery, and so on.

In the Leningrad district, in the Yelny region of the Smolensk district, in the Gomel district of the Byelorrussian S.S.R., in the Poltava district and in other places, cases were recorded where the German Command drove captured Red Army soldiers forward under threat of shooting, in front of their advancing columns during attacks.

The mass extermination of Soviet prisoners of war, established by special investigations of the Extraordinary State Commission, is also confirmed by the documents of the German Police and of the Supreme Command, captured by the Soviet and Allied armies on German territory.

In these documents it is stated that many Soviet prisoners of war died of hunger, typhus and other diseases. The camp commandants forbade the civil population to give food to the prisoners and doomed them to death by starvation. In many cases, prisoners of war who were unable to keep in line on the march because of starvation and exhaustion were shot in full view of the civil population and their bodies left unburied. In many camps no arrangements of any sort were made for living quarters for the prisoners of war. They lay in the open in rain and snow. They were not even given tools to dig themselves pits or burrows in the ground. One could hear the arguments of the Hitlerites: "The more prisoners who die, the better for us."

On the basis of the above exposition, I declare, on behalf of the Soviet

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government and people, that the responsibility for the bloody butchery perpetrated on Soviet prisoners of war in violation of all the universally accepted rules and customs of war rests with the criminal Hitlerite government and German Supreme Command, the representatives of which are now sitting on the Defendants' benches.

Deportation into Slavery.

Outstanding in the long chain of vile crimes committed by the German Fascist invaders in the forced deportation to Germany of peaceful citizens, men, women and children, for slave and serf labor.

Documentary evidence proves the fact that the Hitlerite government and the German Supreme Command carried out the deportation of Soviet citizens into German slavery by deceit, threats and force. Soviet citizens were sold into slavery by the fascist invaders to concerns and private individuals in Germany. These slaves were doomed to starvation, brutal treatment and, in the end, to an agonizing death. I shall dwell later on the inhuman and barbarous directives, edicts and orders of the Hitlerite government and the Supreme Command, which were issued for the purpose of effecting the deportation of Soviet persons to German slavery, and for which the defendants now being prosecuted are responsible, particularly Goering, Keitel, Rosenberg, Sauckel and others. Documents at the disposal of the Soviet Delegation, captured by the Red Army from the staffs of the smashed German Fascist armies, expose the defendants as perpetrators of these crimes.

In a report read at a meeting of the German Labor Front in November 1942, Rosenberg presented facts and figures confirming the vast scale of the deportation of Soviet citizens to slave and serf labor in Germany which were organized by Sauckel.

On the 7th of November, 1941, a secret conference took place in Berlin, at which Goering gave directives to his officials concerning the utilization of Soviet citizens for forced labour.

These directives came to our knowledge from a document which is Secret Circular No. 42006/41 of the Economic Staff of the German Command in the East, dated the 4th of December, 1941. This is how these directives run:

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1. "Russians must be used chiefly for road and railway construction, clean-up operations, de-mining and airfield construction. German construction battalions must be disbanded (e.g. those of the air force). Skilled German workers must work in war production; they must not dig and break stones - there is theRussian for that."

2. "It is essential to utilize the Russian primarily for the following types of work: mining, construction, war production (tanks, guns, aircraft equipment), agriculture, building, in large workshops (shoe making) and in special detachments for urgent unforeseen jobs."

3. "In taking measures to keep order, the decisive considerations are speed and severity. Only the following types of punishment, without any intermediate punitive sanctions, will be imposed: deprivation of food or death by sentence of court-martial."

The defendant Fritz Sauckel was appointed General-Plenipotentiary for the Employment of Labor by Hitler's order of the 21st of March, 1942.

On the 20th of April, 1942, Sauckel sent to the government and military organs his "Program of the General-Plenipotentiary for the Employment of Labor" (top secret), which isno less foul than the circular referred to above. This is what is said in the"Program":

"It is extremely necessary to utilize fully the human reserves available in occupied Soviet territories. If attempts to attract the necessary labor voluntarily do not succeed, it will be necessary to resort immediately to mobilization or to the compulsory signing of individual contracts.

"Besides the prisoners of war we already have, and who are located for the most part in the occupied territories, there is need for the mobilization of skilled male and female civilian workers over 15 years of age from the Soviet Provinces for utilization for labor in Germany.

"In order that the burden on the overworked German peasant women should be noticeable lightened, the Fuehrer has ordered me to bring 400,000 to 500,000 selected, healthy and strong girls to Germany from the Eastern territories."

Yet another secret document concerning the utilization of women

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workers from the Eastern territories for domestic labor in Germany has been presented to the Tribunal by the prosecution. This document is composed of excerpts from the report on a meeting held by Sauckel on the 3rd September 1942. I quote some of these excerpts:

1. "The Fuehrer has ordered that between 400,000 and 500,000 Ukrainian women aged between 15 and 35 be brought, immediately for domestic labor".

2. "The Fuehrer has expressed categorically his desire that a large number of these girls should be Germanised."

3. "It is the Fuehrer's will that, in 100 years' time, 250 million German-speaking people should live in Europe."

4. "Consider these women workers from the Ukraine as workers from the East, and put the sign 'Ost' (East) on them."

5. "Gauleiter Sauckel declared that, apart from the introduction of women workers for domestic labor, it was intended to utilize an additional million workers from the East."

6. "References to the difficulty of bringing stocks of grain to Germany from other countries did not worry him, Sauckel, at all. He would find ways and means to utilize Ukrainian grain and cattle, by mobilizing all the Jews in Europe andmaking of them a living chain of conveyors to get all the necessary equipment to the Ukraine."

Foresseing the inevitability of the failure of measures to recruit Soviet citizens by force for labor in Germany, Sauckel ordered, in a secret directive of the 31st of March, 1942, No. FA 578028/729: "The recruitments for which you are responsible must be enforced by all available means, including the severe application of the principle of compulsory labor."

Sauckel and his agents used all possible methods of pressure and terror to carry out the plans of recruitment. They starved the Soviet persons condemned to this recruitment, enticed them to the stations under pretence of distribution of bread, surrounded them with soldiers, loaded them onto transports under the threat of shooting them, and took them to Germany. But even these coercive methods did not help. The recruitment

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was not successful. Then Sauckel and his agents had recourse to a quota system. This is testified to by an order of a German commandant, captured by Red Army forces when the occupied part ofthe province of Leningrad was liberated. It runs as follows:

"To the mayors of village communities ..... Since a very small number of people have so far presented themselves for labor in Germany, every mayor of a village community must, in concert with the elders of the villages, provide 15 or more persons from each village community for labor in Germany. Healthy people aged between 14 and 50 must be provided."

The chief of the political police and of the Security Service in Kharkov stated in his report on the situation in the town of Kharkov covering the period from 24 July to 9 September 1942: "The recruitment of labor is worrying the competent agencies, since an extremely antagonistic attitude to deportation for work in Germany is to be observed among the population. At present the situation is such that everyone tries by every available means to escape recruitment (they pretend to be ill, escape into the forests, bribe officials, etc.). For a long time now it has not been possible even to speak of anyone going to Germany voluntarily."

That citizens deported to Germany slavery were subjected to the most brutal treatment is shown by a vast quantity of complaints and statements collected by the Extraordinary Government Commission for ascertaining and investigating the crimes of the German-Fascist invaders.

Polish, Czechoslovak, and Yugoslav citizens deported to German slavery suffered the same fate.

Destruction of Towns and Villages, Plunder of Public and Private Property

In carrying out their policy of aggression and plunder, the Hitlerites systematically destroyed towns and villages, annihilated treasures created by the labors of many generations, and plundered the peaceful population.

Together with their accomplices - the criminal Governments of Finland and Roumania, - the Hitlerites developed their plans for the destruction of the largest cities of theSoviet Union.

A document, emanating from the Naval War Staff, dated 29 September 1941, and entitled "The Future of Petersburg", contains the following statement:

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"The Fuehrer has decided to wipe the city of Petersburg from the face of the earth. Finland has also declared that she is not interested in the further existence of the city in the immediate vicinity of her new boundary."

On the 5th of October 1941, Hitler addressed a letter to Antonescu, the special object of which was to coordinate their plans for seizing and destroying the city of Odessa.

An order of the German Commander-in-Chief, dated 7 October 1941, and signed by the defendant Jodl, prescribed that Leningrad and Moscow should be wiped from the face of the eart. "In the case of all other towns, too", states the order, "The rule should hold that, prior to their occupation, they should be reduced to ruins by artillery fire and by air raids. It is inadmissible that a German soldier's life whould be risked in order that Russian towns should be saved from fire."

These directives of the Central German agency were widely applied by military commanders of all ranks. Thus an order to the 512 th German Infantry Regiment, signed by Colonel Schietzrig, prescribes that the regions and districts seized by the Hitlerites be turned into a desert area. In order that this crime should lead to the most destructive results, the order gives a detailed plan for the annihilation of inhabited localities.

"Preparations for the destruction of inhabited localities", the order states, "Should be made in such a manner that (a) no suspicion be aroused among the civilian population, prior to announcement; (b) it should be possible to start the destructions, at one blow, by means of a simple operation at an appointed time. On the designated day particularly strict watch should be kept in inhabited localities so as not to allow any civilians to leave them, especially from the moment the announcement regarding the destruction is made."

An order by the Commander of the 98th German Infantry Division, dated 24 December 1941, is even entitled: "Program of destructions." This order gives concrete directions regarding the destruction of a number of inhabited localities and suggests that:

"Available stocks of hay, straw, food supplies, etc., are to be burnt.

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All stoves in homes should be put out of action by hand grenades so that their further use be made impossible. On no account is this order to fall into the hands of the enemy."

Special squads of arsonists - torch bearers - were formed, which set fire to the treasures created by the labor of generations.

Your Honors, I wish to draw your attention to the document known as "Directives for the Control of Economy in the Newly Occupied Eastern Territories." (The "green file"). Goering is the author of these directives. This secret document is dated - "Berlin, June 1941." I will quote only a few excerpts from it. The first qptation is:

"Pursuant to the Fuehrer's (Hitler's) orders, it isnecessary to take all measures for the immediateand full exploitation of the occupied territories for Germany's benefit. To obtain for Germany the largest possible amount of food supplies and crude-oil - such is the main economic objective of the campaign. At the same time, German industry must also be supplied with other kinds of raw materials from the occupied territories. The first task is to supply the German armies with the utmost speed entirely from the resources of the occupied territories.

Second quotation : "The opinion that the occupied territories should be restored to order as soon as possible, and their economy re-established - is ill-conveived. The restoration of order must take place only in areas from which we can obtain considerable supplies of agricultural products and crude-oils; in others, economic activity must be limited to the exploitation of such stocks as are discovered."

Third quotation : "All raw materials, semi-manufactured and finished goods must be withdrawn from the markets by means of orders, requisitions, and confiscations. Platinum, magnesium, and rubber should be collected immediately and removed to Germany. Foodstuffs, as well as articles of domestic and personal use, and dothing discovered in the combat zone and in the rear areas, are to be placed, in the first instance, at the disposal of the boards to satisfy the needs of the armies. What is rejected by them will be passed on to thenext highest war-economy agency."

As I have already said at the beginning, the main objective of the German aggression against the Soviet Union was to plunder the Soviet country

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in order to obtain the economic resources which were necessary for Hitlerite Germany and without which she could not carry out her imperialistic plans of aggression.

Goering's "Green File" represented the wide program, developed beforehand by the Fascist conspirators, for the organized plunder of the Soviet Union.

This program laid down in advance concrete plans for plunder: the forcible confiscation of valuables, the organization of slave labor in our cities and villages, the abolition of wages inindustrial establishments, the uncontrolled issue of fully insecure currency, etc. In order to carry out this program of plunder, the creation of special machinery was provided for with its own economic command, economic staffs, its own intelligence, inspectorate, army units, detachments for collecting means of production, detachments for collecting raw materials, military agronomists, agricultural officers, etc.

Together with the advancing German armies, there also moved detachments of the economic departments of the army whose task was to determine the available supplies of grain and cattle, fuel, and other property. These detachments were subordinated to a special economic inspectorate which had its seat in the rear area.

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Soon after the attack on the USSR, Hitler's decree of the 29th of June 1941 placed the whole direction of the plunder of occupied territories in the hands of the defendant Goering. By this decree Goering was given the right to take "all measures necessary for the maximum utilization of all stocks discovered and of the country's economic capacity in the interests of German was economy. The defendant Goering directed the predatory activities of the German armies and conomic detachments with the greatest zeal.

At a conference held on the 6th of August 1942 with the Reich commissars and representatives of the military command, Goering demanded that the plunder of occupied territories be intensified. "You are sent there," Goering pointed out, "not to work for the benefit of the peoples entrusted to you, but in order to pump out of them all that is possible."

And further on: "I intend to plunder and to do effectively."

As established by the Extraordinary State Commission, these directives of Goering were carried out by the Reich ministers and representatives of German firms, under whose control there were various kinds of economic groups, technical battalions, economic staffs, and economic inspectorates. Particularly active in the plunder of property of the Soviet Union were the German firms Friedrich Krupp & Co., Herman Goering, Siemens Schuckert, the Mining and Mettallurgical Company, Ost, the corporation Nord, Heinrich Lanz, Landmaschinebauindustrie, I.G. Farben Industrie, and many others.

While they plundered and pillaged state and private property, the Hitlerite invaders doomed to starvation and death the population of the districts they thus plundered. Field Marshal Reichenau's order of the 10th of October 1941, which was distributed as a model among all German units, together with a note saying that Hitler considered it an excellent order, contained the following incitement to plunder and exterminate the population: "To supply local inhabitants and prisoners of war with food is an unnecessary act of humanity."

The notes on the conference held in Rowno from the 26th to the 28th of August 1942, which were discovered in defendant Rosenberg's files, state: "The object of our work is to make the Ukrainians work for Germany; - we are not here to make these people happy. The Ukraine can give us what is lacking

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in Germany. This object must be achieved irrespective of losses."

Following the directives of the defendant Goering, the local authorities plundered the population of the occupied territories mercilessly and to the fullest. An order discovered at a number of places in the Kurst and Orel districts by units of the Red Ammy contains a list of property to be handed over to the military authorities. Things like scales, sacks, salt, lamps, saucepans, oilcloth, blinds, and gramaphones with records are mentioned in the order. "All this property," the order states, "must be delivered to the Kommandatur. Those guilty of infringing this order will be shot."

DESTRUCTION AND PLUNDER OF CULTURAL AND SCIENTIFIC TREASURES, MONASTERIES, CHURCHES, AND OTHER INSTITUTIONS FOR RELIGIOUS OBSERVANCES.

In their burning hate of the Soviet people and its culture, the German usurpers destroyed scientific and artistic institutions, historical and cultural monuments, schools and hospitals, clubs and theaters.

"No historic or artistic treasures in the East", Field Marshal Reichenau decreed in his order, "are of any importance".

The destruction of historical and cultural treasures carried out by the Hitlerites assumed vast proportaions. Thus, in a letter of 20 September 1941, from the Plenipotentiary General for Byelorussia to Rosenberg it is stated:

"According to the report of the major of the 707th Division, who today handed over to me the remaining treasures, the SS men left the rest of the pictures and works of art to be plundered by the armed forces, these included extremely valuable pictures and furniture dating from the 18th and 19th Centuries, vases, marble sculptures, etc.

The History Museum was also completely destroyed. From the geographical section, valuable, precious, and semi-precious stones were looted. In the university scientific instruments to a total value of hundreds of thousands of marks were senselessly smashed or stolen.

In the territory of those districts of the Moscow province, which were temporarily occupied by the Fascists, the occupants destroyed and looted 112 libraries, four museums and fifty-four theatres and cinemas. The Hitlerites

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looted and burnt the famous museum at Borodino, whose historical relics pertaining to the Patriotic War of 1812 are particularly dear to the Russian people. In the village of Polotnyanny Zavod the occupants looted and burnt Pushkin's house, which had been turned into a museum. The Germand destroyed manuscripts, books, and pictures which had belonged to Leo Tolstoy at Yasnaya Polyana. The German barbarians desecrated the grave of the great author.

The occupants looted the Byelorussian Academy of Sciences with its extremely rare collections of historic documents and books which were kept ther, and destroyed hundreds of schools, clubs, and theatres in Byelorussia.

From the Pavlovsk Palace in the town of Slutzk, the very valuable palace furniture, made by the most outstanding craftsmen of the 18th Century, was removed to Germany. From the Peterhof Palaces the Germans removed all the sculptured and carved ornamentations, carpets, pictures, and statues. The Great Palace of Peterhof, dating back to the reign of Peter I, was barbarously burnt after it had been looted.

The German vandals destroyed the State Public Library at Odessa, containing over 2,000,000 volumes.

At Tchernigov a famous collection of Ukranian antiquities was looted. At the Kievo-Petersk Monastery the Germans seized documents from the archives of the Metropolitans of Keiv and books from the private library of Peter Mogilla, who had collected very valuable works of world literature. They looted the very valuable colloections of the museums of Lvov and Odessa, and removed to Germany or partially destroyed the treasures of the libraries of Vinnitza and Poltava, where extremely rare copies of mediaeval literary manuscripts, the first printed editions of the 16th and the 12th centuries and ancient church books, were kept.

The wholesale plunder in the occupied regions of the USSR, carried out on the barbaric orders of the German Government, was not only directed by the defendants Goering and Rosenberg and by the various staffs and detachments subordinated to them, byt the Ministry for Foreign Affairs with the Defendant Ribbentrop at its head, also took part in this through a special organization.

The statement by Obersturmfuehrer Dr. Norman Foerster of the 4th company

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of the Special Purposes Battalion of the Waffen SS, published by the press at the time, bears witness to this.

In his tesitmony, Foerster stated:

"In August 1941, while I was in Berlin, through the help of my old acquaintance at the University of Berlin, Dr. Focke, who was working in the Press Division of the Ministre for Foreign Affairs, I was detached from the 87th Antitank Battalion and assigned to the Special Purposes Battalion of the Ministry for Foreign Affairs. This battalion was formed on the initiative of Ribbentrop, the Foreign Minister, and acted under his direction. The task of the Special Purpose Battalion consisted of seizing immediately, after the fall of large cities, cultural and historical treasures and the libraries of institutions of learning, and in selecting valuable editions of books and films and then sending all these to Germany. And further:

"We obtained righ trophies in the library of the Ukranian Acedemy of Science, where very rare manuscripts of Persian, Abyssinian, and Chinese literature, Russian and Ukrainian chronicles; and the first copies of books printed by the first Russian printer, Ivan Fedorov; and rare editions of works by Shevtchenko, Mitzkevitch, and Ivan Franko were kept."

Side by side with the barbarous destruction and looting of villages, towns, and national cultural monuments, the Hitlerites also mocked at the religious feelings of the believers amont the Soviet population.

They burnt, looted, destroyed, and desecrated on Soviet territory 1,670 Greek-Orthodox churches, 237 Romen Catholic churches, sixty-nine chapels, 532 synagogues, and 258 other buildings belonging to religious institutions.

They destroyed the Uspensky church of the famous Kievo-Petchersky Monastery, built in 1073, and with it eight monastery buildings.

At Tchernigov, the German Fascist armies destroyed the ancient Borisoglebski Cathedral, built at the beginning of the 12th Centruy; the Cathedral of the Efrosiniev Manastery of Polotzk, built in 1160, and the Church of Paraskeva-Piatnize-in-the-Market, a very valuable monument of 12th Century Russian achitecture.

At Novgorog, the Antoniev, Khutynski Zverin, Derevyanitzki, and other

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ancient monasteries, the famous church of Spas-Nereditza, and a series of other churches were destroyed by the Hitlerites.

The German soldiers scoffed at the religious feelings of the people. They dressed up in church vestments, kept horses and dogs in the churches, and made bunks out of the ikons.

In the ancient Staritzki Monastery, units of the Red Army found the unclother corpses of tortured Red Army prisoners of war stacked up in piles.

The damage done to the Soviet Union as the result of the destructive and predatory activities of German army units is extremely great.

The German armies and occupation authorities, carrying out the orders of the criminal Hitlerite Government and of the Supreme Command of the Armed Forces, destroyed and looted Soviet towns and villages; industrial establishments and collective farms taken by them; destroyed works of art; demolished, stole, and removed to Germany machinery, stocks of raw and other materials and finished goods, art and historic treasures; and carried out the general plundering of the urban and rural population. In the territories of the Soviet Union, which suffered occupation, 88,000,000 persons lived before the war; gross industrial production amounted to forty-six billion roubles at the fixed Government prices of 1926-27; there were 109,000,000 head of livestock, including 31,000,000 head of cattle and 12,000,000 horses, 71,000,000 hectares of cultivated land, and 122,000 kilometres of railway lines.

The German/Fascist invaders completely or partially destroyed or burnt 1,710 towns and more than 70,000 villages and hamlets; burnt or destroyed over 6,000,000 buildings; and rendered some 25,000,000 persons homeless. Among the damaged towns which suffered most were the biggest industrial and cultural centers of Stalingrad, Sebastopol, Leningrad, Keiv, Minsk, Odessa, Smolensk, Novgorod, Pskov, Oral, Kharkov, Voronezh, Rostov-on-Don, and many others.

The German Fascist invaders destroyed 31,850 industrial establishments employing some 4,000,000 workers; they destroyed or removed from the country 239,000 electric motors and 175,000 metal-cutting machines.

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The Germans destroyed 65,000 kilometers of railway lines, 4,100 railway stations, 36,000 post and telegraph offices, telephone exchanges, and other communication installations.

The Germans destroyed or devastated 40,000 hospitals and other medical institutions, 84,000 technical and other schools, universitites and research institutes, and 43,000 public libraries.

The Hitlerites destroyed and l oted 98,000 collective farms, 1,876 state farms, and 2,890 machine and tractor stations, they slaughtered, took, or drove into Germany 7,000,000 horses, 17,000,000 head of cattle, 20,000,000 pigs, 27,000,000 sheep and goats, and 110,000,000 head of poultry.

The total damage caused to the Soviet Union by the criminal acts of the Hitlerite armies has been placed at a figure of 679 billion roubles at the Government prices of 1941.

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CRIMES AGAINST HUMANITY

All the Defendants prepared, organized and perpetrated indescribable and blasphemous crimes, such as have never before been committed in history, against humanity and against the principles of human ethics and of international law.

In the statement of the offense in Count IV of the Indictment, it is rightly pointed out that the very plan or conspiracy was organized also for committing crimes against humanity.

The Fascist conspirators started committing crimes against humanity from the moment of the formation of the Hitler Party. These crimes attained vast proportions after the coming to power of the Hitlerites.

The concentration camp of Buchenwald, set up in 1933, and that at Dachau, founded in 1934, turned out to be only the anaemic prototypes of Maidanek, Auschwitz, Slavuta, and numerous death camps set up by the Hitlerites in the territories of Latvia, Byelorussia and the Ukraine.

The very coming to power of the Hitlerites was marked by many provocations which served as an excuse for committing grave crimes against humanity.

Inflicting revengeful punishments without due process of law by the Hitlerites upon all who did not share the "ideology" of the Fascist clique became quite widespread.

"We deny the protection of law to the enemies of the people. We National Socialists knowingly take a stand against false soft-heartedness and false humaneness. We do not recognize tricky lawyers sophistry and cunning juridical subtilities," wrote Goering as early as 1934 in an article published overseas in the Hearst Press.

In one of the articles dated 1933 Goering regarded it as his special merit that he had reorganized the entire management of the Gestapo, having placed the Secret Police under his immediate control and organized concentration camps to be used in fighting political opponents.

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"Thus," spoke Goering, "arose the concentration camps in which we soon had to stick thousands of workers belonging to the Communist and Social-Democratic Party machines."

At the disposal of the Soviet Prosecution are the notes of Martin Bormann, found in the archives of the German Foreign Office, and captured by the Soviet troops in Berlin, on the conference held by Hitler on 2 October, 1940. This document refers to occupied Poland. It will be submitted to the Tribunal. At the moment I shall only quote from it a few points of the Hitlerite leadership program. The conference started with the statement by Frank that his activities as Governor General could be considered very successful: the Jews in Warsaw and other cities were locked up in ghettos.

"Very soon Cracow will be entirely cleared of Jews. There must be no Polish landlords," the document went on to state. "Wherever they may be, they must be exterminated, no matter how brutal this may sound.

"All representatives of the Polish intelligentsia must be exterminated. This sounds brutal, but such is the law of life. Priests will be paid by us and, as a result, they will preach what we want. If we find a priest acting otherwise we will make short work of him. The task of the priest consists in keeping the Poles quiet, stupid and dull-witted. This is entirely in our interests. The lowest German workman and the lowest German peasant must always stand above any Pole economically."

A special place among the unheard of crimes of the Hitlerites is occupied by the bloody butchery of the Slavonic and Jewish peoples. Hitler said to Rauschning:

"After all these centuries of whining about the protection of the poor and the lowly, it is about time we decided to protect the strong against the inferior. It will be one of the chief tasks of German statesmanship for all times to prevent by every means in our power the further increase of the Slav races. Natural instincts

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bid all living beings not merely to conquer their enemies but destroy them. In former days it was the victor's prerogative to destroy entire tribes, entire peoples."

If your Honors please, you have already heard the testimony of the witness Erich von den Bach-Zelewsky about Himmler's aims, as given by him in his speech at the beginning of 1941.

In answer to a question by a representative of the Soviet Prosecution, the witness declared, "In Himmler's speech it was mentioned that it was necessary to cut down the number of Slavs by 30 million."

You see by this what monstrous proportions the criminal ideas of the Hitlerite fanatics attained.

The Hitlerites vented their ferocity particularly on the Soviet intelligentsia.

Even before the attack on the USSR, directives were prepared regarding the merciless annihilation of Soviet people for political and racial reasons.

In Appendix 2 to Operational Order No. 8 of the Chief of the Security Police and SD, dated the 17th of June, 1941, it was stated, "It is above all essential to ascertain the identity of all prominent government and party officials, particularly professional activists and revolutionaries, persons working for the Comintern, all influential members of the Communist Party of the USSR and the affiliated organizations in the Central Committee and the district and regional committees, all people's commissars and their deputies, all former political commissars in the Red Army, leading personalities of the state institutions of the central and middle administrative levels, leading personalities in economic life, the Soviet Russian intelligentsia and all Jews."

In a directive of the 17th of June, 1941, for Security Police and SD detachments, it is pointed out that it is necessary to take such measures, not only against the Russian people, but also against

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the Ukrainians, Byelorussians, Azerbaidzhianians, Armenians, Georgians, Turks and other nationalities.

The Soviet Prosecution will present to the Tribunal actual documents and facts in this connection. The Fascist conspirators planned the extermination to the last man of the Jewish population of the world, and carried out this extermination throughout the whole of their conspiratorial activity from 1933 onwards.

My American colleague has already quoted Hitler's statement of the 24th of February, 1942, that "the Jews will be annihilated." In a speech by the Defendant Frank, published in the "Cracow Gazette" on the 18th of August, 1942, it is stated:

"Anyone who passes through Cracow, Lvov, Warsaw, Radom, or Lublin today must in all fairness admit that the efforts of the German administration have been crowned with real success, as one now hardly sees any Jews."

The bestial annihilation of the Jewish population took place in the Ukraine, in Byelorussia, and in the Baltic States. In the town of Riga some 80,000 Jews lived before the German occupation. At the moment of the liberation of Riga by the Red Army there were 140 Jews left there.

It is impossible to enumerate in an opening statement the crimes committed by the Defendants against humanity. The Soviet Prosecution has at its disposal considerable documentary material which will be presented to the Tribunal.

If your Honors please, I am appearing here as the representative of the Union of Soviet Socialist Republics, which bore the main weight of the attack of the Fascist invaders and which contributed on an enormous scale to the smashing of Hitlerite Germany and its satellites.

On behalf of the Soviet Union, I charge the Defendants on all the counts enumerated in Article VI of the Charter of the International Military Tribunal.

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Together with the Chief Prosecutors of the United States of America, Great Britain and France, I charge the Defendants with having prepared and carried out a perfidious attack on the peoples of my country and on all freedom-loving nations.

I accuse them of the fact, that, having initiated a world war, they, in violation of the fundamental rules of international law and of the treaties to which they were signatories, turned war into an instrument of extermination of peaceful citizens; an instrument of plunder, violence and pillage.

I accuse the Defendants of the fact that, having proclaimed themselves to be the representatives of the "Master Race," a thing which they have invented, they set up, wherever their domination spread, an arbitrary regime of tyranny; a regime founded on the disregard for the elementary principles of humanity.

Now, when as a result of the heroic struggle of the Red Army and of the Allied Forces, Hitlerite Germany is broken and overwhelmed, we have no right to forget the victims who have suffered. We have no right to leave unpunished those who organized and were guilty of monstrous crimes.

In the name of the sacred memory of millions of innocent victims of the Fascist terror, for the sake of the consolidation of peace throughout the world, for the sake of the future security of nations, we are presenting the Defendants a just and complete bill which must be paid. This is a bill on behalf of all mankind, a bill backed by the will and the conscience of all freedom-loving nations.

May justice be done.

THE PRESIDENT: General Rudenko, your Delegation will be prepared to go on after the adjournment, will you not?

GENERAL RUDENKO: I would prefer that there should now be an adjournment.

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THE PRESIDENT: Do you mean an adjournment altogether for the day or--what the Tribunal proposed now was to adjourn now for ten or fifteen minutes, then continue until five o'clock. Would that not be convenient to you?

GENERAL RUDENKO: All right: yes, sir.

(A recess was taken.)

GENERAL RUDENKO: If it please your Honors, Colonel Kareyev will report on the order of submitting the documents to the Tribunal.

COLONEL S. D. KAREYEV: The Soviet Prosecution begins its presentation of evidence on all counts of the Indictment.

The Tribunal is already familiar with the large number of documents presented on behalf of the Prosecution by our honorable American, British and French colleagues. On its part the Soviet Prosecution has at its disposal numerous documents relating to the criminal activities of the Fascist conspirators.

In connection with Count I, dealing with the Crimes against Peace, we will submit the following types of documents: administrative regulations by the German authorities, orders and plans by the German Military Command, diaries and personal files of several of the leaders of the Fascist Party and the German Government, as well as other documents. These documents were found by units of the Red Army on German soldiers and officers, or were discovered in concentration camps and in the offices of German authorities.

In connection with Counts II and III, that is, War Crimes and Crimes against Humanity, we will offer in evidence, in the first place, the communiques and the official reports of the Extraordinary Government Commission for the Determination and Investigation of Crimes Committed by the German Fascist Invaders and their Accomplices.

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This Commission was set up by the decree of the Praesidium of the Supreme Soviet of the USSR, dated 2 November 1942. For field work there were set up Republican, Regional, District Municipal Commissions to assist the work of the Extraordinary Government Commission for the Dertimination and Investigation of the Crimes Committed by the German Fascist Invaders. Both the central office, as well as the field offices of the Extraordinary State Commision, were composed of prominent statesmen and representatives of different public, research, and cultural organizations, as well as religious denominations.

The Extraordinary State Commission, through its representatives, for whose assistance representatives of local groups and local state authorities were called in, had collected and checked data and drew up protocols on the atrocities of the German invaders and the damage caused to the Soviet Union and its citizens.

Counting only the crimes committed by the German fascist monsters against peacful citizens, 54,784 protocols were drawn up. In accordance with Article 21 of the Charter of the International Military Tribunal, these protocols unquestionably represent admissible evidence. Of all these protocols of the Extraordinary State Commission, only a small number will at present be submitted to the Tribunal by the Soviet Prosecution.

In the possession of the Soviet Prosecution are also photographs showing the atrocities and destruction committed by the German invaders in the territorities of the USSR they had temporarily occupied. Part of these photographs will be submitted to the Tribunal. Several documentary films will be offered to the Tribunal in evidence by the Soviet Prosecution.

In submitting evidence relating to war crimes committed by the conspirators, the Soviet Prosecution will also use several German documents photographs and films which were captured from the Germans. The Soviet Prosecution will also submit evidence relative to crimes committed by the defendants and their accomplices against Czechoslovakia, Poland and Yugoslavia. Among this evidence special mention must be made of the official report by the Czechoslovakian Government entitled "German Crimes against Czechoslovakia." This report was prepared on the direction of the Czechoslovakian Government by the Envoy Extraordinary and Minister

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Plenipotentiary, Dr. Boguslav Echer, the representative of Czechoslovakia in the United Nations Commission for the Investigation of War Crimes.

There are documents appended to the official report regarding German crimes against Czechoslovakia. Among these documents there are laws, decrees and orders issued and officially published by the German fascist

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authorities; documents from the archives of the Czechoslovak Government; and affidavits by persons who held prominent positions in Czechoslovakia during the occupation.

There will be shown a special film concerning the destruction of Lidice. It was, in its time, prepared by official German agencies. The film was found by officials of the Czechoslovakian Ministry of the Interior.

The official report on the German crimes against Czechoslovakia, as well as the documents appended thereto, on the strength of Article 21 of the Charter of the International Military Tribunal, represent unquestionably admissable evidence and will be presented to the Tribunal as USSR Exhibit No. 60.

The Soviet Prosecution shall likewise present evidence regarding the crimes perpetrated by the conspirators in Poland. The basic document to be presented on this subject by the Soviet Prosecution will be the report of the Polish Government dated January 22, 1946. The official documents of the Polish Government were the primary source of the report of the Polish Government on the German crimes committed in Poland. Both the official report of the Polish Government and the documents appended thereto, on the strength of Article 21 of the Charter of the International Military Tribunal, unquestionably represent admissable evidence.

And finally, the Soviet Delegation shall present to the Tribunal documents concerning the crimes of German aggressors committed on Yugoslav territory.

The investigation of the criminal activity of the German Command and of the German Occupation authorities in Yugoslavia was carried out by the Yugoslav State Commission for the Investigation of Crimes Committed by German occupants. The Commission was created on November 29, 1943, by a decision of the Yugoslav Anti-fascist Council for People's Liberation. This Commission, which, from the beginning, has always been presided over by Dr. Douchan Nedelkovitch, professor of the Belgrade University, started its work when half of Yugoslavia was still under the domination of the German, Italian, Hungarian, and other occupants.

The investigation of the crimes committed by the German fascist aggressors, besides the Yugoslav State Commission, was also carried out by the special eight Federal Commissions.

The Commission has issued 36 communications.

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This report represents unquestionable evidence, and is submitted by us as Exhibit USSR 36.

It is my duty to mention that documentary evidence which was already presented by our honorable American, British and French colleagues will, to some extent, be used by the representatives of the Soviet Prosecution.

May it please your Honors, in conclusion I would like to make known to the Tribunal the order in which the prosecutors from the USSR will present their case.

The Count dealing with "The Crimes Against Peace (aggression against Czechoslovakia, Poland and Yugoslavia)", will be presented by the Deputy USSR Chief of Counsel, Colonel Pokrovsky.

The Count dealing with "The Aggression Against the USSR" will be presented by the State Councillor of Justice, Third Class, Zorya.

Thereupon, Colonel Pokrovsky will present to the Tribunal the crimes committed in violation of the laws and customs of war relating to the treatment of prisoners of war.

TheCount "The Crimes Against the Peaceful Population of the USSR, Czechoslovakia, Poland and Yugoslavia" will be presented by the Senior Councillor of Justice Smirnov.

Report on the subject of the "Plunder of Private, Public, and State Property" will be made by Mr. Sheinin, State Councillor of Justice of the Second Class.

Report on the "Plunder and Destruction of Cultural Treasures" and "Wanton Destruction and Annihilation of Towns and Villages" will be presented by Mr. Raginsky, State Councillor of Justice of the Second Class.

Mr. Zoria, State Councillor of Justice of the Third Class, will speak on the subject of "Forced Labor and Deportation into German Slavery."

Finally, the Senior Councillor of Justice, Mr. Smirnoff, will present the report on the last subject, "Crimes Against Humanity."

COLONEL Y. V. POKROVSKY: May it please Your Honors, the opening statements of the Chief Prosecutors have enlightened us as to how fascist Germany pursued the ideological preparation of aggressive war.

The connection between Hitlerite propaganda and acts of aggression against peace was revealed in the statement of the USSR Chief of Counsel also. There-

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fore, may I be allowed to quote just one short extract from Horst von Metsch's book entitled "Krieg als Saat"--"War as Seed"--which was published in Breslau in 1934?

"It is impossible to conceive National Socialism without war. German martial glory is its father; army's finest musketeer is its leader; and war's hardy spirit is its soul."

That is not just a phrase dropped by a garrulous fascist penman; that is a program which is blurted out. War, and only war, was considered by the Hitlerite conspirators as the most effective means of attaining the objectives of their foreign policy. It is, therefore, only natural that Germany was turned into an armed camp and became a constant threat to her neighbors after the fascist had seized power in the country.

The East was the first objective of the fascist conspirators.

In his book "Mein Kampf", which is already at the disposal of the Tribunal, Hitler wrote, as early as 1930; "The movement eastwards is continuing, notwithstanding everything."

You will find that in Volume I, page 1.

I consider it necessary to tell the Court that the places which I will cite are marked by red pencil. I am quoting:

"The movement eastwards is continuing, notwithstanding everything. Russia must be erased from the list of European powers." (Page 732, 1930 edition).

By hypocritically proclaiming her love of peace, by giving her neighbors assurances of her intention to live with them in peace, Hitlerite Germany only strove to conceal her real and always aggressive intentions.

The conspirators willingly concluded any agreement on arbitration, on non-aggression, etc. They did it, not because they were really striving for peace, but with the sole intention of waiting for a suitable moment to strike the next treacherous blow and of lulling the nations of the world into a sense of false security.

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Having committed one of their scheduled aggressive acts, they strove, with still greater energy, to convince everybody that from now on they had no longer any aggressive plans. A combination of hypocrisy and fraud, of treason and aggression, ruled the entire system of German foreign policy.

With incredible insolence, the fascist conspirators violated any of their international obligations or international agreements, including those which directly prohibited the application of war as a solution of international disputes. None of the wars provoked by the Hitlerites can be classified under the conception of "defensive wars." In every case the German fascists acted as aggressors. They admitted, themselves, that they did not hesitate to resort to provocation in order to have an excuse for attacking their next victim at the most propitious moment.

Count II of the Indictment contains a complete list of the wars which were provoked, prepared, initiated and waged by the fascist conspirators.

The insane imagination of the Hitlerites visualized the East as a paradise for the fascist aggressors; a paradise built on the bones and blood of the millions of people who inhabited these lands.

Sir David Maxwell-Fyfe has told the Tribunal that the Soviet Delegation would submit some new evidence regarding the criminal conspiracy against peace, and also suggested that certain repetitions could not be avoided. Whilst striving to reduce these repetitions to a minimum, I wish to draw the attention of the Tribunal to some of the documents relating to the criminal aggression of the fascist conspirators.

As documentary evidence I submit to the Tribunal USSR Exhibit No. 60, an official Czechoslovak report. It begins with the following significant phrase-- and this sentence will be found on page 10 of the book of documents, Volume I, page 21:

"Czechoslovakia was an obstacle to the German Drang nach Osten-- drive to the east-- and to their domination of Europe."

That is followed by an analysis of the strategic and political aspects of the aggression against Czechoslovakia.

THE PRESIDENT: Colonel Pokrovsky, when you want to put in a document in evidence you will produce the original document, will you not, and hand it to the Secretary of the Tribunal?

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COLONEL POKROVSKY: Yes, the reporter of the Court.

This is followed by an analysis of the strategic and political aspects of the aggression against Czechoslovakia. I quote, beginning with the second sentence of subparagraph(a), which is marked with a red pencil. I quote: "Czechoslovakia was, indeed, of the greatest strategic importance as a natural obstacle and a fortified barrier against a military drive towards the Danube basin, and from there Eastwards, across the Eastern Carpathians and along the valley of the Danube, towards the Balkans.

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The gist of sub-paragraph b. is that Czechoslovakia was a democratic country, and finally sub-paragraph c. gives an analysis of Czechoslovakia from the national point of view. I shall quote this sub-paragraph as it is formulated in the report. You will find this in part 1, pages 11 and 12.

"c. From the national point of view, Czechoslovakia, as far as the vast majority of its population is concerned, was a Slav country, intensely conscious of the unity of all Slavs."

The Tribunal might have noticed, that the methods of execution of aggression by the Hitlerite conspirators nearly always followed the same pattern. In all cases lightning speed and suddenness of military attack were considered indispensable. They endeavored to attain the element of surprise by giving the prospective enemy treacherous and hypocritical assurances of their peaceful intentions.

Simultaneously wide use was made of the foul system of bribery, blackmail, provocation, financing of various kinds of pro-fascist organizations, and using as paid agents unprincipled politicians and downright traitors to their respective countries.

Mr. Aldermann began his presentation of documents by giving several examples of this kind. He told the Tribunal in detail, and proved by documentary evidence, that in the person of Hans Karmazin, the representatives of the so-called Slovak autonomous movement were bought with German money. The same also applies to the Deputy Prime Minister Dukanski, the notorious Tuka, and many other leaders of the Hlinka Party.

It was reported to you that at the beginning of March, 1939, e.g., immediately prior to the day planned for the final entry of Fascists into Czechoslovakia, the activity of the fifth column reached its climax.

I believe I should present to the Tribunal certain facts about the Hitlerite organizations, established for the purpose of subversive activity, and also about the part played by SS man Lorenz

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in the action against Czechoslovakia.

Himmler, holding several offices, combined in one person the position of the Reichsleiter of the security units of the SS and Reichs Commissar for consolidation of Germanism (Reichskommissar fuer die Festigung des deutschen Volkstums). As such, he was charged with the leadership of all State and Party organs within Germany, which in turn controlled the German settlements, the work amongst the German Fascist minorities in other countries and re-immigration of Germans into Germany.

In this field his executive apparatus was the so-called Volkdeutsche Mittelstelle.

The leader of this organization, and therefore the actual deputy of Himmler, in this special sphere, was Obergruppenfuehrer SS Lorenz, who will be discussed later.

There was another criminal organization I have in mind, the Foreign Organization of the NSDAP (Auslandsorganisation der NSDAP), abbreviated to AO. It played an important part in creating the fifth column in countries which were eventually subjected to Hitlerite aggression.

AO united the Germans who were members of the Fascist Party living outside Germany. Apart from the wide propaganda of Fascism, AO was engaged in political and other kinds of espionage. Germans living outside Germany received material help through AO and maintained connections with various pro-German and espionage groups of the country in which they lived.

The branches of the Hitlerite party abroad were under the guidance of German diplomatic missions. For this purpose the leader of AO, Gauleiter Ernst Wilhelm Bohle, was installed in the Ministry of Foreign Affairs with the rank of a State Secretary.

There are several appendices to the Official Czechoslovak Report. One of them is registered under number 3061-PS. It represents excerpts from the testimony of Karl Hermann Frank, former

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deputy of the Reich Protector. I submit this document to the Tribunal and, without reading it in its entirety, I wish to refer briefly to the contents of those parts of the document which deal with the question concerning the fifth column.

At the interrogation on 9 October 1945--this is the second page of the Russian text, at page 135 of Vol. 1, number 3061-PS--Frank declared that in his opinion the Henlein Party received money from Germany from 1936 onwards. In 1938 funds were coming in from the so-called Volksdeutsche Mittelstelle in Berlin, through the German Ambassador in Prague. Frank confirmed that, together with Henlein, he several times visited the German Ambassador in Prague, who handed him and Henlein money for the Party. Frank admits that the acceptance of this money was incompatible with his duty as a Czechoslovak citizen. Frank further admitted that he visited the German Embassy in Prague many times alone, informed the German Ambassador of the inner political situation of Czechoslovakia, and considering the character of the information communicated, committed high treason.

Frank testifies--what I am quoting at present will be found in Vol. 1, part 1, page 184:

"All negotiations in the summer of 1938 between Henlein and myself on the one hand and the Reich authorities, in particular Adolf Hitler, Hess and Ribbentrop on the other hand, were conducted for the purpose of providing the Reich authorities with information on the development of the political situation in Czechoslovakia. These discussions took place on the initiative of the Reich authorities."

I have quoted this excerpt from page 5 of the Russian document. On page 4 you will find another translation of the document. Frank stated that he was aware of "the treason committed by the Party and its entire leadership corps, by receiving money from abroad for putting into effect measures inimical to the State." This excerpt

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is on page 5 of the Russian translation of document 3061-PS.

During the interrogation on the 15th August 1945 Frank testified that Henlein and his staff had their headquarters in Tandorf Castle near Reuch. Henlein himself was the head of the Staff of the Corps, which bore the name Frei-Korps der Fuehrers. According to Frank the Free Corps was established by Hitler's order. Part of the Corps which was in the territory of the German Reich was equipped with small arms in small quantities, as stated by Frank. According to him, the Free Corps consisted of about 15,000 people, chiefly Sudeten Germans. This information we find on page 3 of the Russian translation of document number 3061-PS in your book. It is page 185 of Vol. 1, part 1.

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The Russian delegation had at its disposal other documents which I think it is desirable to read in order to supplement the available information. They are particularly interesting, because Hitler conspirators were referring to the desire to help their neighbors. I will refer to our Document No. 271. This you will find on page 196 and further of Vol. 1, Part 1. I quote:

"The conference was attended by gentlemen enumerated in the attached list: In his opening address the Reichminister emphasized the importance of keeping this conference strictly secret, and the, referring to the Fuehrer's instructions which the latter had given yesterday to Konrad Kenlein personally, stated that primarily there were two questions of importance for the political guidance of the Sudeten-German Party.

"The Sudetan Germans must know that they are backed up by the German people of 75,000,000.

"2. It is the Sudeten-German Party's responsibility" --

THE PRESIDENT: I don't like to interrupt you, but it is not quite clear on the translation that has come through whether you have deposited the original of this document and have given it an exhibit number.

COL. POKROVSKY: All the documents which the Soviet delegation is submitting are submitted by us to the Tribunal in Russian and the organization of translators is supposed to translate them. This document is called by me by the notation which we hve.

THE PRESIDENT: It must be deposited to the Tribunal in its original condition, not in Russian. It is a conference, apparently, and I suppose the original is in German.

The original document is not in Russian. It must be deposited with the Tribunal in its original condition. I do not know what the document is. It is a conference apparently, and I suppose the original is in German. We want to see the original document in German.

COL. POKROVSKY: The original document in the German language is at the disposal of the Court at present. May I continue?

THE PRESIDENT: One moment. It this the original?

COL. POKROVSKY: This is a photostat.

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THE PRESIDENT: I am afraid I must insist upon having the original.

COL. POKROVSKY: The original documents are at the disposal of the Soviet Government, and if the Tribunal insists, they can be sent for and presented to the Tribunal.

THE PRESIDENT: I am afrain that is so. We must have the original document. After the original documents have been produced and exhibit numbers given to them, they will remain in the hands of the Tribunal. The subject of the translation, of course, is quite a different one, but for the purpose of insuring that we get really genuine evidence, we must have the originals deposited with the general secretary.

COL. POKROVSKY: I will obey the order of the Court and will see that the documents are delivered to the Court, but so far we have followed the practice already established that we can present the documents which have been checked in the proper way; but we could do it somewhat later.

THE PRESIDENT: Yes, so long as you undertake to do it. But I do not think you are right in saying that it is the practice that has been already established, because we have been demanding from the French prosecutors the production of the original documents and they have been produced.

COL. POKROVSKY: We will take the necessary measures so that the Tribunal will have those documents somewhat later.

I continue quoting from the point --

THE PRESIDENT: I imagine that you will be able to produce tomorrow the originals of the documents which you referred to today?

COL. POKROVSKY: I cannot promise that, because not all originals are here. A considerable part of these documents are not in Nurnberg and, therefore, are not kept here. Here are only part of the originals.
Here is what I can do: The originals which are at our disposal we will submit to the Tribunal and those which we have not here we will request the Soviet Government to send over.

THE PRESIDENT: I think the Tribunal had better adjourn for the purpose of considering this matter.

(A recess was taken from 1620 to 1655 hours.)

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THE PRESIDENT: The Tribunal has considered the matter of the deposition of the original documents, and they wish the following procedure to be adopted;

In the first place, they want original documents deposited with the General Secretary of the Tribunal wherever possible. Secondly, where it is impossible for original documents to be deposited, or hightly inconvenient, they will accept photostat copies of the original documents, provided that a certificate accompanies the photostat document to the effect that it is a true copy of an original document, and that the original is an authentic document, giving the origin of the original document and the place of its present custody. Thirdly, they will accept photostat copies for the present, on the undertaking of Counsel that certificates such as I have indicated will be furnished as soon as possible.

Is that clear, Colonel Pokrovsky?

COL. POKROVSKY: I would ask the Tribumal to explain to me one point. Do I understand that the Tribunal confirms its former decision and practice, which was established in connection with the presentation of the document in evidence by my American colleagues, or is it something new that the Tribunal asks for?

The documents which I presented today has already been accepted as a photostat in the same session of the Court, under No. 2788-PS. So, is it a new decision or a reiteration of an old one?

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THE PRESIDENT: I think what you have stated is true, that this particular document does not appear to have any certificate that it is a true copy. But the Tribunal expects that the United States will produce such a certificate that it is a true copy of an authentic document and will state the origin and the custody of the original document.

COLONEL POKROVSKY: I wish to ask the following question, which interests all Counsel: Do I understand the decision of the Court that we have to present a supplementary document or whether it refers only to the documents which will be presented in the future?

THE PRESIDENT: I think it applies to all documents. It applies equally to all Chief Prosecutors and to all documents. In cases --

COLONEL POKROVSKY: Which have already been accepted by the Court?

THE PRESIDENT: Yes, certainly. If a document has been accepted in photostat form and there has been no certificate that it was a true copy of an authentic document, then a certificate must be given. And we desire that the certificate should always show that the document was authentic and the place of its present custody. And that applies equally to all the Chief Prosecutors.

COLONEL POKROVSKY: Now, I think I understand that the Tribunal is inclined to continue its practice, which means that we will be in a position to present the photostats with the certification and, as far as possible, to present originals. I hope I understood it correctly.

THE PRESIDENT: Yes, we desire originals, if possible. If it is impossible, or if it is highly inconvenient, then we will accept photostats. And in the meantime, for your convenience -- because this practice has not been perhaps adequately stated before -- we will accept photostat copies without certificate, on your undertaking that you will have the certificate later on.

Is that clear?

COLONEL POKROVSKY: Absolutely; that the practice adopted before is continued to be in operation. If the Tribunal will permit myself to draw your attention to the same lines when interrupted in my report; I have in mind the three last lines of page 193 of the document which is before you.

The final aim of the forthcoming negotiations between the Sudeten German

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German Party, and the Czechoslovakian Government is to avoid entering the government by widening the scope of their demands, and by formulating them with ever increasing precision. In the course of negotiations it must be pointed out very clearly that the sole partner in these negotiations with the Czechoslovakian Government is the Sudeten-German Party, and not the Reich Government.

Now I can omit a few lines and go to page 197. For purposes of further collaboration, Conrad Henlein was advised to maintain the closest contact with the Reich Minister, and with the leader of the "Volksdeutsche Mittelstelle," as well as with the German Ambassador in Prague who was re presenting the Reichsminister there.

The task of the German Ambassador in Prague was to uphold the Sudeten German Party's demands in an unofficial manner, and mainly in private discussions with the Czechoslovakian statesmen, by referring to them as reasonable, but without exerting any direct influence on the scope of the party's demands.

Finally the question of the advisability of the Sudeten German Party's collaboration with other national minorities in Czechoslovakia, especially the Slovaks, was discussed. The Reichsminister decided that the Party should be given a free hand to contact other National groups with activities of a similar type which might be considered to be of use.

A list of those present at the conference on 29 March 1938, at Berlin, you will find on page 197, volume 1, part 1, and marked with a lead pencil: Reichsminister von Ribbentrop, State Secretary von Mackensen, Ministerialdirektor Weizsaecker, Minister Eisenlor, Prague, Minister Schilbe, Legationsrat von Tvardovsky, Legationsrat Altenburg, Legationsrat Kordt (Ministery of Foreign Affairs). Other of the group were SS Obergruppenfuehrer Lorenz. Professor Haushofer (Volksdeutsche Mittelstelle), Conrad Henlein, Karl Hermann Frank, Dr. Kuenzel, Dr. Kreisel (Sudeten German Party).

It is not difficult to draw proper conclusions as to the genuine intentions of the Fascist conspirators with respect to Czechoslovakia if we only take into consideration the fact that among those attending the conference were such people as the defendant Ribbentrop, two ministers, two representatives of the so-called "Volksdeutsche Mittelstelle," including one Obergruppenfuehrer of the

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SS, the prospective Reichsecretary of the Czech-Moravian Protekterat, Karl Hermann Frank, and the leader of the so-called Sudeten German Party, Conrad Henlein, a paid factotum and agent provocateur of Hitler.

German diplomatic missions were directing the activities of the Fascist party branches abroad. With this purpose in view the leader of AO Gauleiter, Ernest William Bohle, was made Reichs Secretary in the Ministry for Foreign affairs.

On June 3, 1938, two documents were prepared by Lorenz, a member of the SS, and one of the participants of the conference to which I have just called the attention of the Tribunal. I will read both of them. The first one referring to the interview with Ward Price indicates that Henlein was under direct control of the SS, and it was to them that he was responsible for all his activities.

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This document also contains the direct threat to resort to a "decisive operation" in order to bring about the solution of the so-called Sudeten German problem. I will read this short document under No. USSR 270:

"In connection with the interview with Ward Price which appeared in the foreign press, SS Obergruppenfuehrer Lorenz requested an explanation from Henlein, who made the following statement:

Ward Price was present at the burial of those executed in the town of Eger. He asked Henlein's collaborator, Sebekovsky, to arrange a meeting with Henlein for him. Henlein knew of the circumstances of the interview given by the Fuehrer to Ward Price. He had a talk with Ward Price over a cup of tea. He did not give him a real interview. The conversation about the Sudeten German and the Czech problems took the form of a talk on appendicitis, Henlein saying that one should now temporize with chronic attacks of appendicitis, but take radical steps and operate. Later on, when Ward Price published an account of this conversation, Henlein decided to expose him. But at that moment through the Embassy in Prague, an order came from the Minister of Foreign Affairs that Henlein should settle the matter with Ward Price amiably, as the latter had Hitler's confidence, and was not to be insulted by the Sudeten Germans.

When Henlein met Ward Price again, he backed out, putting the blame on the members of the Sudeten German Party. In addition, to this, he wrote a letter to Ward Price, thus settling the matter."

The second document which is on page 201, which is our number USSR-268, shows that following the orders of the SS and the leaders of the Hitlerite conspirace, Henlein negotiated with the Czech government about the settlement of the Sudeten German question with the sole purpose of creating a provocation. These negotiations were closely followed by theleaders of the Fascist conspiracy who guided Henlein's further steps.

I will start to quote from this document: "In a conversation with SS Obergruppenfuehrer Lorenz, Henlein put the following question:

"What if Czechoslovakia under the pressure of foreign countries were to accede suddenly to all my requests, and put forward, as a counter demand, its participation in the government?"

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It was quite clear that this question was not acute at this moment, and that further lengthy and painful negotiations were inevitable. Yet he asked for instructions concerning his possible line of action regarding this problem in case he were not able to communicate with Germany.

He himself suggested the following: If Czechoslovakia accedes to all my requests I will answer "Yes", but will insist upon the chance of its foreign policy. This Czechoslovakia will never accept. "Henlein was promised that this question would be elucidated by the Minister of Foreign Affairs, Lorenz."

THE PRESIDENT: Isn't it time to break off; it is now quarter past five.

(The Tribunal adjourned until 9 February 1946, at 1000 hours).